

I Mm Nn Oo Pp Qq Rr S

Williams v. California:
The Statewide Impact
of Two Years of Implementation



Williams v. California:

The Statewide Impact of Two Years of Implementation

August 2007



Prepared by:

ACLU Foundation of Southern California
Public Advocates, Inc.

Based on research conducted by:

Dr. Marisa Saunders, Lindsay Huber, Dr. Anne Marshall and Dr. Siomara Valladares
University of California, Los Angeles

Public | Advocates

The ACLU Foundation of Southern California and Public Advocates, Inc., are deeply grateful to The William and Flora Hewlett Foundation for sponsoring the generation and production of this report. We extend special thanks to Ramona Ripston, Executive Director, ACLU of Southern California; Jamiene Studley, President and CEO, Public Advocates, Inc.; and Jack Londen, Partner, Morrison & Foerster LLP.

ruary in a
ous year, I
could be s

learn ● v. C

acquire k

study or

mentary

any word

mentary

mentary

CONTENTS

CHAPTER 1: Introduction and Summary of Key Findings	6
CHAPTER 2: <i>Williams v. California:</i> The Case and the Settlement	12
CHAPTER 3: The Statewide Impact of <i>Williams</i> Implementation	18
Special Focus: The State of California	19
Special Focus: Los Angeles County	29
Special Focus: Sacramento County	36
Special Focus: The Greater Bay Area	41
Special Focus: The Central Valley	49
CHAPTER 4: Conclusions and Next Steps	55
ENDNOTES	57



INTRODUCTION AND SUMMARY OF KEY FINDINGS

On August 13, 2004, Governor Arnold Schwarzenegger announced the settlement of *Williams v. California*, a lawsuit filed on behalf of thousands of California’s public school students who were denied equal educational opportunity. The settlement called for all of California’s public schools to provide at least the basic necessities of educational opportunity: textbooks and instructional materials, clean and safe school facilities, and qualified teachers. The settlement also promised students, parents, and community members new information and tools to oversee this progress.

Now, three years after the plaintiffs and Governor Schwarzenegger announced the settlement, and precisely three years after the California Legislature passed the Settlement Legislation, this report examines the impact of the *Williams* Settlement Legislation during the first two years of implementation—2004-05 and 2005-06—by documenting students’ access to textbooks and instructional materials, clean, safe and functional school facilities, and appropriately certificated and assigned teachers.

A clear picture of progress emerges from each of the four regions examined (Los Angeles County, Sacramento County, the Greater Bay Area, and the Central Valley) and the state as a whole. In only two short years of implementation, teaching and learning conditions in California’s public school classrooms have materially improved as a direct result of the *Williams* standards and accountability systems. For instance, students received more than 88,000 new textbooks and instructional materials because county superintendents discovered the materials were missing and insufficient when they conducted their *Williams* site visits. Students have gone so far as to give visitors from a county office of education a standing ovation in appreciation for their new books. Likewise, administrators appreciate how the facilities standards have spotlighted repair needs, leading to a statewide decline in the number of schools with facility deficiencies. Nearly 3,000 emergency repairs have already been funded through the \$800 million Emergency Repair Program (ERP). As one administrator said, “*Williams* is right at my back helping me get things done.”

Administrators also report that textbook and facility improvements are helping them attract and retain qualified teachers, a trend that should aid schools in building on early progress with respect to teacher misassignments. The new annual teacher assignment monitoring for low performing schools has highlighted significant numbers of misassignments in many regions of the state, particularly in classes with substantial numbers of English learners, which in turn is motivating teachers, schools, and districts to explore additional training opportunities and other solutions.

Administrators and county office of education officials routinely trace the improving conditions to systemic reforms—new textbook distribution systems, revamped facility work order procedures, and new teacher training and assignment practices—that districts and schools instituted in response to the *Williams* Settlement. In many cases, the results have been dramatic. In schools where students previously lacked sufficient textbooks to take home at night, more than half the teachers lacked full credentials, and facilities were poorly maintained, students now all receive textbooks, including books to take home; learn in fully maintained school facilities; and have markedly improved access to credentialed teachers who are properly assigned.

CHAPTER 1

Today is a landmark day for California’s neglected students. I am here to tell you they will be neglected no more.

Gov. Arnold Schwarzenegger, announcing the Settlement of *Williams v. California*
August 13, 2004

Teachers and administrators explain that the new procedures and improvements also brought intangible changes that may be just as responsible for ensuring problems are prevented and students receive the textbooks, facilities, and teachers they need and deserve. Many teachers and administrators describe cultural changes within their institutions, encouraging open lines of communication, an emphasis on students' needs, and accountability.

Williams requires that every California public school provide each student with, at the very least, sufficient textbooks and instructional materials; clean, safe and functional buildings and facilities; and permanent, appropriately trained and assigned teachers. Not all schools are meeting these standards yet, and thus the information collected through the *Williams* monitoring systems should be utilized quickly to develop and target new solutions, while the initiatives and efforts that have led to the remarkable improvements over the course of the first two years of *Williams* implementation should be recognized, shared, and redoubled.

■ Summary of Key Findings

TEXTBOOKS AND INSTRUCTIONAL MATERIALS

- ⇒ In the first year of *Williams* implementation, county offices of education found, on average, that 20% of decile 1-3 schools had insufficient textbooks and/or instructional materials. This figure decreased to 13% in the second year of implementation (2005-06), with 21 county offices of education finding sufficient textbooks and instructional materials in all schools.
- ⇒ All four regions studied experienced a decrease in the percentage of decile 1-3 schools with insufficient textbook/instructional materials, with Sacramento County and the Greater Bay Area experiencing the greatest decreases with drops of 17 and 16 percentage points, respectively.
- ⇒ In the Central Valley, the percentage of schools with insufficient textbook/instructional materials was lower than the statewide county average in both 2004-05 and 2005-06.

- ⇒ Statewide, students received at least 24,932 new textbooks and instructional materials as a result of county office of education oversight in 2004-05. Students received 63,163 new textbooks and materials in 2005-06.
- ⇒ Over half of all county offices of education reported that schools improved textbook distribution and tracking systems as a result of *Williams*.

SCHOOL FACILITIES

- ⇒ The average percentage of decile 1-3 schools in each county with “good repair” deficiencies or “emergency” facility needs decreased during the first two years of implementation.
- ⇒ Forty-two percent of county offices of education found fewer decile 1-3 schools with facilities deficiencies in the second year of implementation than in the first year.
- ⇒ County offices of education reported, on average, finding one or more “good repair” deficiency at 62% of schools inspected in 2004-05, compared to 47% of schools inspected in 2005-06.
- ⇒ County offices of education found, on average, that 8% of the decile 1-3 schools in each county had facility conditions that posed “emergency or urgent threat[s] to the health or safety of pupils or staff” in 2004-05. This figure remained almost constant between the two years of implementation, with a slight decrease to 7% in 2005-06.
- ⇒ The region with the highest percentages of decile 1-3 schools with emergency facility needs was the Greater Bay Area. School conditions have improved across the region, but some schools, such as many in the Oakland Unified School District, need additional attention.
- ⇒ In general, administrators and teachers report that repairs on their campuses are conducted more quickly and facilities receive more attention as a result of *Williams*.
- ⇒ The \$800 million *Williams* Emergency Repair Program now offers grants as well as reimbursements for health and safety repairs, and the number of projects funded has increased from 149 to 2,797 in one year, helping to address the more than \$803 million in “necessary repairs” documented at eligible schools by the *Williams* School Facilities Needs Assessments.



Overall, administrators and teachers reported that improvements at their schools, such as increased access to textbooks and instructional materials and cleaner, safer facilities have assisted in both attracting and retaining teachers in recent years. For example, a school administrator from the Greater Bay Area explained that as a result of *Williams* implementation efforts:

Our school reputation improved a lot. So many people are willing to teach here. The faculty is more stable and not a lot of teachers are leaving.



TABLE 1

	Los Angeles County		Sacramento County		Greater Bay Area		Central Valley		California*	
	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2
Percentage of decile 1-3 schools with insufficient textbooks/instructional materials	22%	14%	35%	18%	45%	29%	14%	3%	20%	13%
Percentage of decile 1-3 schools with “good repair” facility deficiencies	95%	95%	88%	73%	75%	63%	57%	39%	62%	47%
Percentage of decile 1-3 schools with emergency facility conditions	5%	9%	1%	0%	30%	35%	15%	16%	8%	7%

* Note: Overall statewide county averages are reported in California columns.

Y1 - First Year of Implementation (2004-05)

Y2 - Second Year of Implementation (2005-06)

TEACHERS

- ⇒ Throughout the state, students' access to qualified and properly assigned teachers increased over the course of the first two years of *Williams* implementation.
- ⇒ The percentage of fully credentialed teachers in decile 1-3 schools throughout the state increased from 90% in 2004-05 to 92% in 2005-06.
- ⇒ In the four regions examined in this report, the percentages of fully credentialed teachers in decile 1-3 schools increased or remained constant above 90%. Administrators widely credited these improvements to No Child Left Behind and *Williams*.
- ⇒ The average countywide percentage of decile 1-3 schools with teacher misassignments fell from 49% in 2004-05 to 43% in 2005-06, according to reports from 29 county offices of education.
- ⇒ Statewide, California Commission on Teacher Credentialing data reveals there were 28,893 teacher misassignments spread across 53% of the decile 1-3 schools in the state in 2005-06 (not including misassignments corrected before the reporting deadline).
- ⇒ Despite improved teacher assignment practices and greater numbers of teachers receiving additional training, much more needs to be done to ensure all students have highly qualified and properly assigned teachers in every class. In particular, far too many teacher misassignments still persist, caused by teachers lacking the appropriate authorization to teach English learners:
 - In 2004-05, county offices of education found that 30% of the teachers assigned to classes in decile 1-3 schools in which 20% or more of the students were English learners lacked the required authorization to teach English learners.
 - After one year of implementation, 13% of the decile 1-3 school classes with 20% or more English learners were taught by a teacher lacking the appropriate English learner authorization. This means 20,200 classes with 20% or more English learners were taught by a teacher lacking the appropriate English learner authorization.
- ⇒ Overall, administrators and teachers reported that *Williams*-related improvements at their schools have assisted in both attracting and retaining qualified teachers.

TABLE 2

Fully Credentialed Teachers in Decile 1-3 Schools By Region and Year of Implementation

	Los Angeles County		Sacramento County		Greater Bay Area		Central Valley		California	
Number of decile 1-3 schools (2003 Base API)	598		73		299		439		2,115	
	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2
Percentage of teachers in decile 1-3 schools that were fully credentialed	85%	89%	95%	95%	91%	92%	94%	94%	90%	92%

Y1 - First Year of Implementation (2004-05)

Y2 - Second Year of Implementation (2005-06)

TABLE 3

Teacher Misassignments in Decile 1-3 Schools By Region and Year of Implementation

	Los Angeles County		Sacramento County		Greater Bay Area		Central Valley		California	
Number of decile 1-3 schools (2003 Base API)	598		73		299		439		2,115	
	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2
Percentage of decile 1-3 schools with teacher misassignments	83%*	70%	NA	67%	NA	36%	NA	26%	NA	53%

* - Information provided by the Los Angeles County Office of Education

NA - Information not available from the CCTC

Y1 - First Year of Implementation (2004-05)

Y2 - Second Year of Implementation (2005-06)

FIGURE 1

Percentage of Decile 1-3 School Teachers Assigned to Classes with 20% or more English Learners Who Lacked the Appropriate EL Authorization in 2004-05

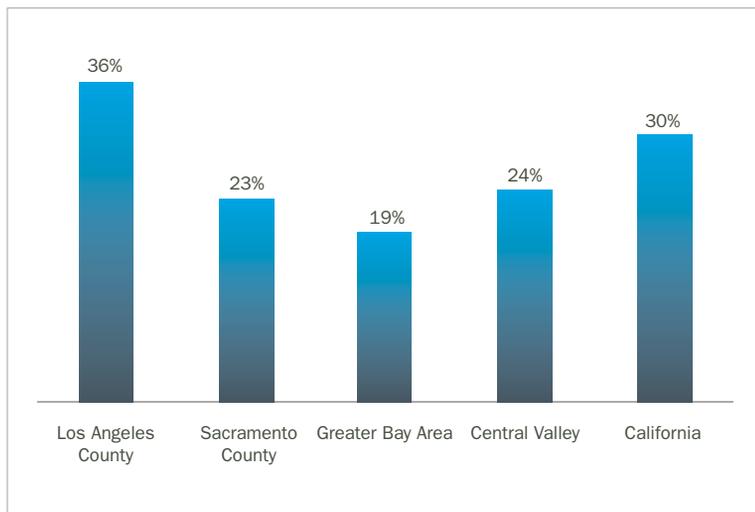
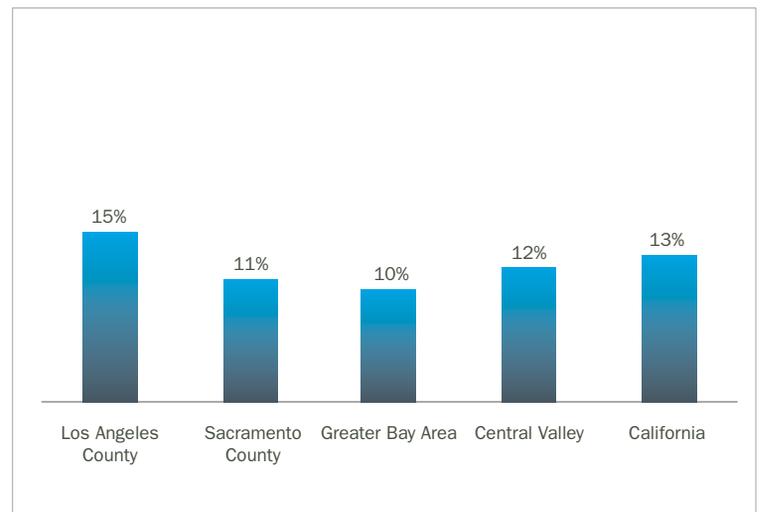


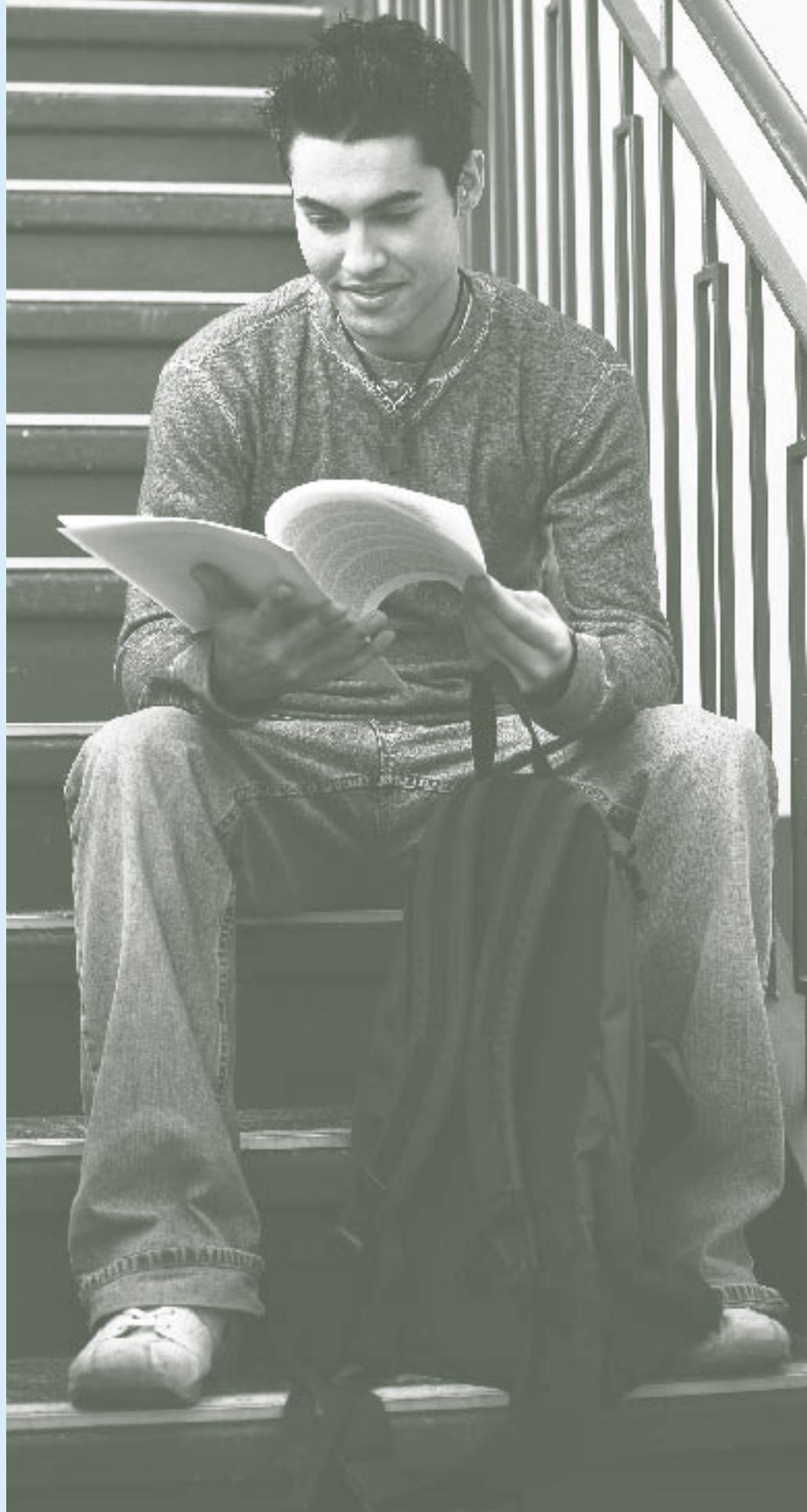
FIGURE 2

Percentage of Decile 1-3 School Classes with 20% or more English Learners That Were Taught by Teachers Lacking the Appropriate EL Authorization in 2005-06



■ Report Organization

The second chapter of this report provides a summary of *Williams v. California*, the Settlement Legislation, the first year of implementation, and some of the significant outcomes in the first year. These outcomes include legislative changes enacted to improve implementation, monitoring procedures, and outcomes. The third chapter looks at the impact of the *Williams* Settlement Legislation on student access to instructional materials; clean, safe and functional facilities; and qualified teachers in California's lowest performing public schools. Special focus sections within the third chapter examine how schools across the state and in four particular regions—**Los Angeles County, Sacramento County, the Greater Bay Area, and the Central Valley**—are faring in increasing students' access to these essential elements of educational opportunity. These sections provide in-depth analysis of county-, district- and school-level data, as well as detailed analysis of the successes and challenges experienced by schools, districts, and county offices of education as they implement the *Williams* Settlement Legislation. The fourth and final chapter draws some conclusions and identifies important next steps.





WILLIAMS V. CALIFORNIA: **THE CASE AND THE SETTLEMENT¹**

■ *Background of the Case*

On May 17, 2000, the American Civil Liberties Union, Public Advocates, the Mexican American Legal Defense and Educational Fund, and other civil rights organizations, along with Morrison & Foerster LLP, filed a class-action lawsuit on behalf of public school students against the State of California. The case argued that the state and its agencies were denying thousands of California students their fundamental right to an education under the California Constitution by failing to provide them with the basic tools necessary for that education.

The *Williams* suit highlighted the fact that the state operated thousands of classrooms without enough textbooks for students; provided school facilities that were overcrowded, in disrepair, and unhealthy for students; and employed many under-trained teachers in California public schools. The case was premised on two basic principles: 1) The State of California is responsible to ensure that all students have the basic resources they need to learn—qualified teachers, sufficient textbooks and instructional materials, and decent facilities; and 2) All students have a fundamental right to an education that must be provided to



DECILE DETAILS

The schools ranked in deciles one to three, inclusive, on the 2006 Base Academic Performance Index receive additional funds and oversight. The list of “decile 1-3” schools is updated every three years. Up until July 1, 2007, the schools receiving additional funds and oversight were the schools ranked in deciles one to three, inclusive, on the 2003 Base Academic Performance Index.

all students on equal terms. The case argued that California’s public education system failed on both of these counts: it did not give all students the necessary educational resources and it allowed unequal opportunities to persist across schools. *Williams* called on the state to create standards for basic educational materials, a system of management and oversight, and accountability so schools live up to these standards.

On August 13, 2004, after more than four years of litigation, the parties announced a settlement agreement. Just over two weeks later, on August 27, 2004, the state Legislature passed five bills implementing the legislative proposals set forth in the Settlement Agreement. Governor Arnold Schwarzenegger signed the bills into law on September 29, 2004, and they took effect immediately. The settlement embodied the central principles of the plaintiffs’ case and included significant changes to California’s education laws.

■ *Scope of the Settlement*

The *Williams* Settlement Legislation established new standards and accountability mechanisms to ensure that all California public school students have textbooks and instructional materials and that their schools are clean, safe, and functional. It also took steps toward assuring all students have qualified teachers. The Settlement holds the state accountable for delivering these fundamental elements and provides approximately \$1 billion to accomplish these goals. The Settlement also phases out the use of the Concept 6 multi-track, year-round school calendar by 2012.²

The new standards and many of the accountability systems established by the *Williams* Settlement **apply to all California public schools.**³ Each and every student has a right to “sufficient textbooks,” a school in “good repair,” and a qualified teacher. All districts must perform self-evaluations to ensure compliance with the textbook and facilities standards. Further, the overall condition of facilities, the availability of textbooks and instructional materials, and the number of teacher misassignments and teacher vacancies must be reported in annual School Accountability Report Cards (SARCs) that are made available to all parents and the public. The Settlement Legislation also created a new Uniform Complaint Process for parents, students, teachers, and others to use to ensure that all schools and districts meet the new standards and provide sufficient instructional materials, qualified teachers, and safe, healthy school facilities.

The lowest performing schools in the state—the schools ranked in deciles one to three, inclusive, on the 2006 Base Academic Performance Index (API) receive additional funds and oversight.⁴ Pursuant to the Settlement Legislation, the State of California is providing \$800 million in installments of at least \$100 million each year to pay for emergency repairs in these “decile 1-3 schools.” In the first year of implementation, districts received \$25 million to conduct comprehensive assessments of the facility conditions and needs in these schools, and \$138 million for new instructional materials for students attending schools ranked in the lowest two API deciles.

County superintendents provide additional oversight over decile 1-3 schools, conducting annual visits and reviews to determine compliance with the new instructional materials and facilities standards and to determine whether the school’s SARC accurately reports these data. Beginning with the 2005-06 school year, the Settlement Legislation requires county superintendents to visit decile 1-3 schools at

COUNTY SUPERINTENDENT VISITS

County offices of education made tremendous efforts to visit all decile 1-3 schools pursuant to *Williams* in both 2004-05 and 2005-06. Collectively, they visited a total of 1,856 schools in 2004-05 and over 2,085 in 2005-06. Indeed, survey results indicate that over 88% of all decile 1-3 schools were visited pursuant to *Williams* in 2004-05, and 99% of decile 1-3 schools in the counties were visited in 2005-06.¹⁰ The increase in number and percentage of decile 1-3 schools visited between years in the state can be attributed primarily to the increase in visits made between years by one county office of education—the Los Angeles County Office of Education (LACOE). LACOE visited 350 of the decile 1-3 schools in Los Angeles County in the first year, making a “diligent effort” as required by the Settlement Legislation. The Settlement Legislation included this “diligent effort” clause in anticipation of the challenges the largest county offices of education would face when trying to visit all the decile 1-3 schools in the second half of the 2004-05 school year. LACOE visited 595 decile 1-3 schools in 2005-06, the second year of implementation.

At the school site level, most school administrators characterized *Williams* site visits and inspections as very positive experiences that provided opportunities to assess their textbook availability and inspect their school sites with keener eyes. Many site administrators shared the unease they felt prior to and during the first visit, and many confessed they anticipated the monitoring and accountability system as just “additional hoops to jump.” Once they became more knowledgeable of the intent of the visit and the

process, administrators reported feeling much more comfortable. Administrators commented that the visiting teams tried to work with the school sites to report accurately insufficiencies regarding textbooks or instructional materials, and to ensure a clean, safe, school facility. Indeed, one county administrator noted that by the second year a few teachers expressed disappointment when their classroom and students were not paid a visit by the team.

A few site administrators commented that although they have come to understand that county reviews are meant to assist the schools, tremendous pressure to “look good” persists. For example, a new principal in 2005-06 mentioned that it would be a negative reflection of his leadership if textbook insufficiencies or facility deficiencies were found, in particular because no insufficiencies or facility issues were found during Year 1. This pressure to obtain a “clean” report trickled down to the teacher level:

I kept trying to explain to people, it is a good thing, this is going to help us get what we need, but unfortunately...no matter what was said, I still feel that teachers felt that it was checking on them rather than, ‘We’re [here] to help you get what you need.’ And that’s unfortunate....

Awareness regarding the purpose and the results of *Williams* visits and oversight has increased between the first and second years of implementation, but enhancing knowledge and understanding is an ongoing issue that counties, districts, and schools continue to grapple with.



least annually as priority schools and to complete their reviews of textbook sufficiency in these schools by the fourth week of the school year.⁵ The visits to examine facility conditions can be conducted simultaneously with the textbook sufficiency reviews or at a later point in the school year. The Settlement Legislation requires that at least 25% of the county superintendent visits must be unannounced.

The Settlement Legislation also requires county superintendents to annually monitor, review, and report on teacher assignments and teacher vacancies in decile 1-3 schools.⁶ County superintendents submit the results of all assignment monitoring and reviews to the California Commission on Teacher Credentialing (CCTC) and the California Department of Education (CDE), including information regarding whether teachers in decile 1-3 schools assigned to classes comprised of 20% or more pupils who are English learners have appropriate authorization or training to teach these students.⁷ All teacher misassignments (i.e., where a teacher lacks subject matter, English learner or other required training or authorization) and teacher vacancies (i.e., where a classroom has no single, designated full-time teacher, but is instead staffed by a series of substitutes) must be reported to district superintendents for correction. Ultimately, the CCTC is required to submit biennial reports to the state Legislature concerning teacher assignments and misassignments, including the data from the county superintendent reports.⁸

County superintendents report the results of their annual visits and reviews to each school district's governing board on a quarterly basis and submit an annual report in November to the governing board of each school district, the county board of education, and the county board of supervisors of his/her county, describing the state of decile 1-3 schools in the county. The reports must include school specific findings regarding student access to sufficient standards-aligned instructional materials, compliance with facilities maintenance requirements, teacher misassignments and vacancies, and accuracy of SARC's with respect to the availability of sufficient textbooks and instructional materials and the safety, cleanliness, and adequacy of school facilities including good repair.⁹

■ *The First Year of Implementation: Improvements and Amendments¹¹*

State agencies, county superintendents, school districts, and schools started implementing the *Williams* Settlement Legislation immediately after Governor Schwarzenegger signed the five bills on September 29, 2004. With the 2004-05 school year underway, there was no time to spare, and in the subsequent months, funds were distributed; districts and schools conducted self-assessments and addressed problem areas; state agencies adopted new regulations and forms; students, parents, and teachers utilized the new complaint process to hold districts and schools accountable to the new standards; and county superintendents and their staffs visited schools and helped identify and correct deficiencies in the decile 1-3 schools. Lessons and unanticipated challenges emerged from this whirlwind of implementation activity, leading the parties to the *Williams* Settlement to sponsor clean-up bills to streamline oversight procedures, clarify standards and requirements, and improve the programs and systems designed to ensure

all students receive the most basic educational necessities. All five pieces of clean-up legislation sponsored by the parties passed the Legislature and were signed into law.¹²

Assembly Bill 831 was the first clean-up bill and became effective on July 25, 2005. Among other things, the bill affirmed the intended recipients of the \$138 million in new instructional materials funds; clarified the definition of “sufficient textbooks or instructional materials”; clarified how a teacher vacancy must be remedied; added a provision allowing county offices of education with 200 or more decile 1-3 schools to use surveys in their sufficiency reviews; and clarified that a teacher misassignment exists when a teacher has at least one student in his or her class who is an English learner (EL) in need of EL services and the teacher lacks the appropriate EL authorization.

The second bill, Senate Bill 512, became effective on Oct. 7, 2005, and a few months later, on January 1, 2006, the *Williams* provisions in Senate Bill 687 and Assembly Bill 491 became effective as well. These three bills addressed multiple implementation issues, including how county superintendents could efficiently focus their teacher assignment monitoring efforts. A provision in Senate Bill 512 allows county superintendents to monitor and review teacher assignments in a decile 1-3 school on the regular four-year cycle, rather than annually, if the county superintendent finds no misassignments or vacancies at the school for two consecutive years, unless the school is likely to have problems with misassignments and vacancies based on past experience and other available information.

The most recent bill, Assembly Bill 607, continued to make important amendments to the Settlement Legislation. The bill became effective on January 1, 2007, and included the next step in the evolution of the “good repair” standard, establishing a detailed statewide minimum standard in the California Education Code and directing the development of the Facility Inspection Tool that will rate all public school facilities on an objective good/fair/poor scale. Perhaps just as importantly, the bill authorizes the California Department of Education to act immediately on county superintendent insufficiency reports and fundamentally restructured the \$800 million Emergency Repair Program to allow districts to receive grants before they perform repairs, in addition to reimbursements for completed repairs.

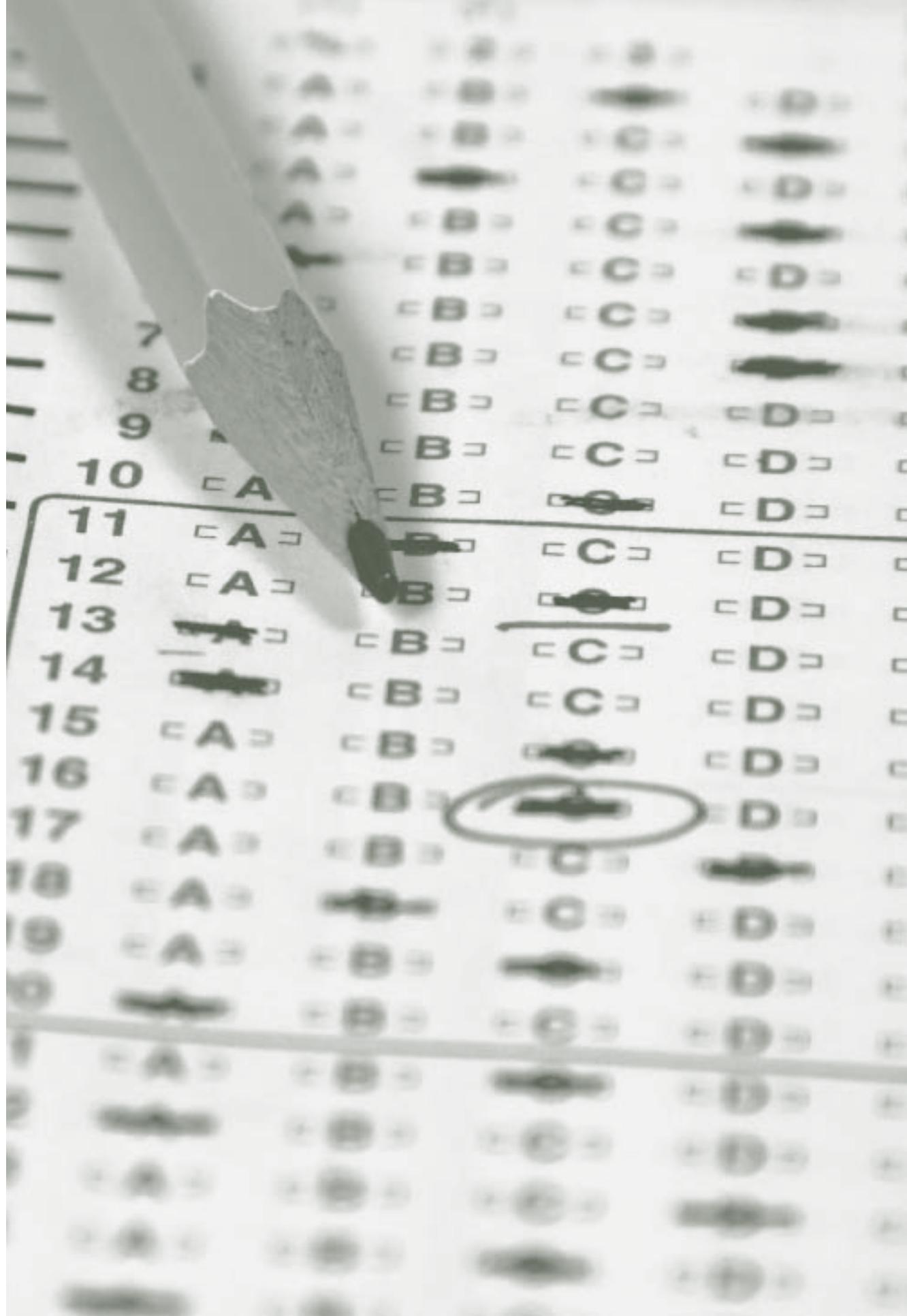
In sum, *Williams* implementation efforts benefited from open lines of communication and a spirit of collaboration across the state that generally created an environment wherein useful adjustments and

improvements could be identified, proposed, and enacted quickly to ensure the new standards and accountability systems have their intended effect. Indeed, the legislative and procedural changes that have occurred at the state, county, district, and school levels are significant achievements.

The remainder of this report examines the impact the evolving *Williams* Settlement Legislation made on California’s lowest-performing schools over the course of the first two years of implementation.

Ideally, this report also would examine the impact of the *Williams* standards and accountability systems on higher-performing schools. After all, the standards and accountability systems, including the annual instructional materials sufficiency hearings, the Uniform Complaint Process, the facility inspection systems, and the teacher assignment monitoring procedures, **apply to every public school in the state.** Each school now reports on the sufficiency of instructional materials, the good repair of facilities, and teacher misassignments and vacancies in its annual School Accountability Report Card. Yet collecting data from the more than 9,300 schools and 1000 districts across the state was not feasible. Therefore this report focuses on the impact the *Williams* Settlement Legislation has had on California’s lowest performing schools, schools ranked in deciles one through three on the Base Academic Performance Index, because the Settlement Legislation provided these schools with additional financial assistance and oversight. The need for improvement in these “decile 1-3 schools” is most critical.







THE STATEWIDE IMPACT OF WILLIAMS IMPLEMENTATION

This report investigates the impact of the *Williams* Settlement Legislation on California’s lowest performing schools—schools ranked in deciles one through three, inclusive, on the 2003 Base Academic Performance Index (API)¹³—by seeking answers to the following questions:

- ⇒ **Since the enactment of the *Williams* Legislation, has access to textbooks and instructional materials increased for public school students in California?**
- ⇒ **Since the enactment of the *Williams* Legislation, has access to clean, safe, and functional schools increased for public school students in California?**
- ⇒ **Since the enactment of the *Williams* Legislation, has access to appropriately certificated and assigned teachers increased for public school students in California?**

The statewide and regional answers to these questions, provided in the following sections of this report, are based on data and information collected from 42 county offices of education, accounting for more than 99% of all decile 1-3 schools in the state, and 12 decile 1-3 schools from four distinct regions of the state: Los

Angeles County, Sacramento County, the Greater Bay Area, and the Central Valley.¹⁴ Researchers visited three schools in each of the four regions, and during the one-day site visits, they interviewed teachers and site administrators to gain a better understanding of the impact of *Williams* Legislation on decile 1-3 schools.¹⁵

While the *Williams* Settlement makes clear that **all** of California’s public school students, regardless of the school they attend and its API ranking, are entitled to the basic tools of education, the Settlement Legislation, as described previously, provides additional funding and oversight for the lowest performing 30% of schools in the state – the “decile 1-3 schools.” In the first two years of implementation, the list of decile 1-3 schools was drawn from the 2003 Base Academic Performance Index, but the list of decile 1-3 schools was updated on July 1, 2007, and now is based on the 2006 Base Academic Performance Index. The list will be similarly updated every three years to reflect the most recent Base Academic Performance Index.¹⁶

■ *The State of California*

PUBLIC SCHOOL STUDENTS IN CALIFORNIA HAVE INCREASED ACCESS TO TEXTBOOKS AND INSTRUCTIONAL MATERIALS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

New standards and accountability systems have effectively increased students’ access to standards-aligned textbooks and instructional materials. The *Williams* Settlement Legislation requires that all schools must provide “each pupil, including English learners” with “a standards-aligned textbook or instructional materials, or both, to use in class and to take home.”¹⁷ This is the legal definition of “sufficient textbooks or instructional materials,” and when a county superintendent finds a school wherein one or more students does not have sufficient textbooks and/or instructional materials to use in class and take home, this is an insufficiency. Of 40 county offices of education that collectively visited 90% of the decile 1-3 schools in the state, 19 reported finding textbook or instructional materials insufficiencies in the first four weeks of the 2005-06 school year, down from the 24 county offices of education that found insufficiencies in the first year of implementation. And, **within the counties, the average percentage of decile 1-3 schools with at least one textbook/instructional materials insufficiency dropped from 20% in 2004-05 to 13% in 2005-06, with twenty-one county offices of education reporting no insufficiencies.**¹⁸ Statewide, the number of decile 1-3 schools with insufficient textbooks and/or instructional materials decreased from 318 to 285 in one year, which is particularly significant in light of the fact that the Los Angeles County Office of Education alone visited 245 more schools in the second year of implementation after satisfying its statutory duty to make a “diligent effort” in the first year and visiting 350 schools.

Yet, while decile 1-3 schools generally improved student access to textbooks and other instructional materials within this short time period, the overall number of classrooms with identified insufficiencies increased. A total of 1,026 classrooms had insufficient textbooks and/or instructional materials for students in 2004-05. This number more than doubled to 2,305 in 2005-06.¹⁹ Indeed, in 2005-06, 34% of responding county offices of education identified more classrooms with insufficiencies than in the previous year. To remedy these identified insufficiencies, **a total of 24,932 additional textbooks were distributed in 2004-05 and 63,163 books were distributed in 2005-06.** In sum, survey responses from county offices of education indicate that while fewer counties and schools had insufficiencies during the second year of implementation, when a school had insufficient textbooks or materials, the insufficiencies tended to be larger in size and scope.

“

This year, I was 19 books or 25 books short. In the past it would have been too tough, pretty bad. This time it was like, ‘Oh, you’re a decile 1-3 school, oh, we’ll go down and meet you there.’ Well, I got every book I needed lickety-split. That was way cool. I like that.

Principal of a school in the Greater Bay Area

”

These findings correspond with county office of education staff gaining experience and learning more about how to identify and address insufficiencies. In addition, these findings suggest that the legislative clarification of “sufficient” as requiring “standards-aligned” materials and at least one textbook/set of materials for each student may have led to county office of education teams and districts to reassess class sets that they may have mistakenly deemed sufficient in the first year of implementation.²⁰ Therefore, the increase in number of classrooms with reported insufficient textbooks or instructional materials likely

is an indicator that the oversight system is functioning as intended. What is certain is that more students are receiving the instructional materials they need to study and learn, consistent with the intent of the settlement. County offices of education report that 93% of the insufficiencies identified in 2004–05 were remedied, an impressive accomplishment considering most visits were conducted in the last months of the school year, and that 100% of the insufficiencies identified in the fall of 2005–06 were remedied.

TABLE 4

Percentage of Decile 1-3 Schools with Insufficient Textbooks/Instructional Materials by Region and Year of Implementation

	Year One (2004-05)	Year Two (2005-06)
Los Angeles County	22%	14%
Greater Bay Area	45%	29%
Sacramento County	35%	18%
Central Valley	14%	3%
Statewide County Average	20%	13%

TABLE 5

Number of Instructional Materials Provided to Students in Decile 1-3 Schools to Address Their Lack of Sufficient Textbooks or Instructional Materials by Region and Year of Implementation

	Year One (2004-05)	Year Two (2005-06)
Los Angeles County	13,770	50,399
Greater Bay Area	6,751	8,920
Sacramento County	5,894	656
Central Valley	1,667	104
California	24,932	63,163

Importantly, these immediate results were accompanied by systemic improvements designed to ensure all students receive sufficient instructional materials in future years. Over half of all county offices of education reported that they were aware of textbook distribution procedure improvements at the county, district, and/or school level. In addition, on-site administrators and teachers acknowledged that county office of education oversight had moved or pressured districts to implement new practices and/or procedures to ensure the timely receipt of standards-aligned textbooks.

Interviews confirm students' increased access to textbooks and instructional materials. According to many county and district administrators, the level of attention *Williams* places on distribution practices and the timely receipt of textbooks and instructional materials has greatly improved students' access. A number of district administrators noted that prior to *Williams*, teachers and site principals often reported having sufficient textbooks, and indeed this was what was recorded in the annual school board resolutions. But, *Williams* forced counties, districts and schools to closely examine student access to textbooks and instructional materials and gather evidence to use as the basis for their resolutions; this process revealed that in many

instances students actually had not received sufficient textbooks. As a result, many of the districts shared new tracking measures that allow the district to possess accurate information regarding the number of textbooks within their possession and their location.

Not only do these new procedures permit the transfer of textbooks from one school location to another when a shortage at a school site occurs, but they also provide greater information and accuracy when textbook ordering is required. For example, as one administrator shared,

For years it was a system where each school considered the books on site to be the school's books, but now they're the district's books. With the new textbook program, if I need more books, I just call. It's the district's responsibility to make sure that all schools are sufficient. So it's an inter-loan process where we all have access to books—your books are my books, my books are your books.

Ultimately, and most importantly, these new textbook systems and students' access to sufficient instructional materials are positively affecting instruction. As one teacher in the Greater Bay Area shared,



When Schools Have Insufficient Textbooks and/or Instructional Materials, the Problems Vary in Size and Scope, But Are Corrected

The size and scope of textbook/instructional material insufficiencies identified by county offices of education often varied from school to school during the first two years of *Williams* implementation.

For instance, in the first year of implementation at Luther Burbank High School, the Sacramento County Office of Education review team found that students in some classes received only one of the two core English/language arts texts adopted by the district for their grade level, while other students had both. In addition, the county office of education team found textbook insufficiencies in Algebra 2, special education classes, physical/earth science, physics, economics, U.S. Government, U.S. History, and insufficient equipment for the lab science courses.

In contrast, while also in Sacramento City Unified School District, Mark Hopkins Elementary had only one textbook insufficiency in one classroom in the first year of implementation. The county office of education team found “an insufficient number of science standards-based textbooks and/or instructional materials for students identified to receive core instruction in a self-contained Special Education classroom.”

The *Williams* remedial mechanisms functioned as intended at both schools and the identified insufficiencies were corrected within the first eight weeks of the school year. The Sacramento County Office of Education reported no insufficiencies at either school in the second year of implementation.



This year was the first time we had textbooks on time. I like to start right off on the first day, so I had everything photocopied from the past year so I could do the program without having the materials, and I didn't need them this year. That was exciting. Everybody has their workbooks now, and you don't have to be copying or hoarding them if you find an extra one.

PUBLIC SCHOOL STUDENTS IN CALIFORNIA HAVE INCREASED ACCESS TO CLEAN, SAFE, AND FUNCTIONAL SCHOOLS SINCE THE ENACTMENT OF THE WILLIAMS LEGISLATION

County office of education reports from 2004-05 and 2005-06 indicate that oversight has been effective in identifying and motivating the correction of facility problems, and that over the course of the first two years, the number of schools with facility deficiencies has declined.²¹

Forty-two percent of county offices of education found fewer schools with facilities deficiencies in 2005-06 than in 2004-05. On average, county offices of education reported that 62% of the schools inspected had one or more “good repair” deficiency (a condition that prevents the school from being deemed completely clean, safe, and functional, but does not pose an immediate health or safety threat to students or staff) in 2004-05, compared to 47% of schools inspected in 2005-06 (see Figure 3).

The overall percentage of decile 1-3 schools in the state with at least one identified “good repair” deficiency increased between years, however, due in large part to the Los Angeles County Office of Education visiting an additional 245 schools in 2005-06, which led to 232 more schools

with identified deficiencies even though the percentage of schools with deficiencies within Los Angeles County remained steady at 95%.

The variation across the regions in terms of the percentages of schools with facility deficiencies (see Table 6) is not simply an indication of different conditions at school sites; it also is a consequence of variation in how different county office of education inspection teams were trained and how county offices of education determined and reported “good repair” deficiencies.

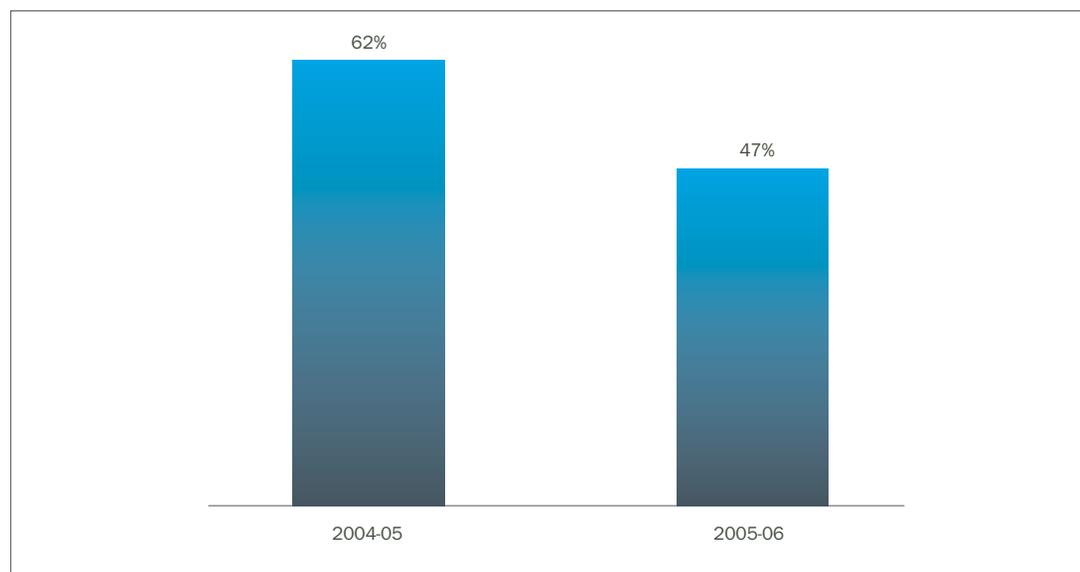
Whereas before *Williams* there was no statewide standard of “good repair” for school facilities, county offices of education now use a state-adopted evaluation instrument to determine if a school has any “good repair” deficiencies. During the first two years of implementation, county offices of education used the Interim Evaluation Instrument. Starting this year, 2007-08, they are using the new permanent evaluation instrument, called the Facility Inspection Tool (FIT).²² Accordingly, facility inspection results should be more comparable in the future because the FIT contains specific objective instructions on how to rate the condition of a school’s facilities on a good/fair/poor scale.

The Interim Evaluation Instrument guided inspectors through facility standards in thirteen categories (ranging from restrooms to mechanical systems and interior surfaces) to determine whether a school was in “good repair,” meaning the facilities are maintained in a manner that ensures the school is clean, safe, and functional. County offices of education also used this site inspection process to determine if the condition of any facility posed an emergency or urgent threat to the health or safety of students and staff.



FIGURE 3

Statewide County Average of Decile 1-3 Schools with “Good Repair” Facility Deficiencies



The *Williams* Settlement Legislation defines “emergency facilities needs” as “structures or systems that are in a condition that poses a threat to the health or safety of pupils or staff while at schools,” including, but not limited to gas leaks, broken heating, ventilation, fire sprinklers, or air-conditioning systems, and broken windows or exterior gates that will not lock and pose a security risk.²³

An average of 8% of the decile 1-3 schools in each county were found to have facility conditions that posed an emergency or urgent threat to the health or safety of pupils or staff in 2004-05.²⁴ This figure remained near constant between years, with a very slight decrease in 2005-06 to 7%. Of the county offices of education reporting, 23% found fewer urgent facilities threats in 2005-06 than in 2004-05. However, 13% of counties reported more urgent threats in 2005-06 than they had the previous year.

In all, county offices of education identified far fewer schools with facility conditions posing “emergency or urgent threat” than schools with “good repair” deficiencies in both years. Therefore, not surprisingly, while the average percentage of schools with “good repair” deficiencies within a county decreased substantially in one year, the average percentage of schools with conditions that posed “an emergency or urgent threat” within a county declined only slightly between years, from 8% to 7%.

The *Williams* Settlement Legislation created the \$800 million Emergency Repair Program (ERP) to ensure school districts could immediately address all facility conditions that pose emergency or urgent threats to the health and safety of pupils or staff in decile 1-3 schools without having to draw down funds set-aside for major maintenance projects and thereby place themselves in jeopardy of experiencing

To the extent county offices of education were able to conduct follow-up visits to school sites to verify repairs, they reported that 54% of identified facility issues were remedied in 2004-05, and 83% were remedied in 2005-06.

TABLE 6

Percentage of Decile 1-3 Schools with

	Good Repair Facility Deficiencies		Emergency Facility Conditions	
	2004-05	2005-06	2004-05	2005-06
Los Angeles County	95%	95%	5%	9%
Sacramento County	88%	73%	1%	0%
Greater Bay Area	75%	63%	30%	35%
Central Valley	57%	39%	15%	16%
Statewide County Average	62%	47%	8%	7%

more facilities problems caused by a lack of regular maintenance. In 2004-05 and 2005-06, the ERP was structured as a reimbursement program; a district had to pay for and complete the emergency repairs before it applied to the state for funds. The state would reimburse the district for 100% of the costs of the repairs if the district’s application was approved. However, if the state Office of Public School Construction denied the application, the district had to cover all the costs already incurred. Some site and district administrators expressed reluctance to start emergency repair projects because they were uncertain about whether they would be reimbursed and did not have the funds to pay for them otherwise. Some officials also expressed confusion about what types of projects would qualify for the program. These factors contributed to the relatively low number of applications submitted in the first two years of the program despite documentation of approximately \$803 million worth of “necessary repairs” at eligible schools in 2005 through the School Facilities Needs Assessment Grant Program.²⁵

On July 2, 2007, however, the ERP became a grant program, allowing eligible schools to receive funds **before** they conduct repairs. Eligible schools may also receive reimbursements if they conduct repairs before applying for funds. This new grant option and the ever-growing track record of approvals (see page 25) should allow the documented needs to translate into more applications and ultimately into successful repairs. **Moreover, even before the grant option became available, the level of participation in the ERP was on the upswing: as of July 2, 2007, 2797 emergency repair projects in decile 1-3 schools were completed and fully funded for a total of over \$40 million, up from 149 projects and \$3.5 million just one year earlier.**

Even with the ERP experiencing some early growing pains, county offices of education reported a high and increasing number of repairs. To the extent county offices of education were able to conduct follow-up visits to school sites to verify repairs, they reported that 54% of identified facility issues were remedied in 2004-05, and 83% were remedied in 2005-06.²⁶

“

I know they did a lot of fixing and the bathrooms are much cleaner. I haven't heard a single kid say, 'I went to the bathroom and there wasn't any toilet paper,' or, 'I don't want to go in there, it's nasty.' I used to hear that a lot.

Teacher at a school in Los Angeles County describing Williams-related repairs at the school

”

Examples of Projects Funded by the EMERGENCY REPAIR PROGRAM

For more information on the EMERGENCY REPAIR PROGRAM, see www.opsc.dgs.ca.gov/SAB/Programs/ERP_Main.htm.

Short Description of Problem Addressed by ERP Project	Apportionment from ERP for Repair or Replacement
Extensive termite damage created structural hazard	\$101,373
Bleachers unsafe due to dry rot and broken boards	\$2,838
Exterior steel light poles severely deteriorated at bases	\$48,611
Deteriorated play equipment poses safety hazard	\$52,996
Library ceiling bowed and stained, tiles in danger of falling	\$11,710
Main irrigation line burst underground	\$1,800
Playground blacktop cracked and deteriorating	\$9,000
Rat infestation	\$350
Main fire alarm panel damaged by lightning strike	\$285
Frayed, torn, and damaged carpet poses tripping hazard	\$6,560
Broken windows	\$31,480
Missing bathroom stall doors	\$1,797
Tree roots intruding into tennis courts causing trip hazard	\$15,936
Gang graffiti	\$3,626
Broken evaporative cooler in auto shop	\$42,238
Grease trap rusted out and not draining properly	\$3,000
HVAC heat exchanger cracked and compressor broken	\$6,325
Holes in walls exposing students to wiring and insulation	\$141.50
Roofs in severe disrepair – mold, dry rot, falling tiles, etc.	\$1,585,764
Playground unsafe due to insufficient wood chips	\$1,694
Uneven concrete walkway with deep cracks	\$7,645
Light fixture diffusers missing/broken, causing eye strain	\$3,224
Main electrical breaker burned out	\$58,854
Underground natural gas leak	\$25,015
Roof leaks in classrooms and common areas	\$22,551
Newly discovered hazardous asbestos and lead containing materials that threaten health and safety	\$105,280
Broken sewer and water lines	\$16,420
Sewer line failure caused by tree roots bursting lines	\$9,076
Rodent infestation in athletic fields causing trip hazards	\$1,608
Severely damaged masonry shear wall	\$852,640
Deteriorated and cracked asphalt pavement in play area	\$55,999
Pigeons roosting in shade supports; waste poses health hazard	\$15,766
Exterior lighting in parking lot too dim to provide safe environment in early morning and evening	\$19,206
Mold detected on walls of storage rooms next to classroom	\$24,162
Fence and gate support posts rusted out and failing	\$1,920
Major rot/damage around floor joist, foundation, windows	\$3,000
Storm drain failed to operate properly	\$29,806
Septic system overflowing and leach lines plugged	\$22,786
Dry rot and mold in restrooms	\$43,505
Severe ant infestation	\$1,920
Perimeter fencing cut by vandals	\$1,850
Bathroom partitions with rusted edges/doors falling off	\$992
Broken AC and heating units	\$2,085
Cooking pot steam generator malfunctioned	\$10,973
Floor coverings pose tripping and allergy hazards	\$8,346
Killer bees in a wall	\$1,325
Hot water heater leaking and rusting into water supply	\$662
Exposed wires, broken exit light, unsecured light fixtures	\$1,339
Dry rot and peeling paint	\$12,518

In addition, administrators and teachers highlighted the speed of facility repairs since the enactment of the *Williams* Legislation. As one principal from Sacramento noted, “They come out on the [*Williams*] review and make a list of the things we need, and then they come out and they fix them.... The district is very responsive.” Indeed, despite some limited confusion regarding distinctions between “good repair” and “emergency or urgent threat” facility issues, site administrators displayed a comprehensive understanding that the new accountability and oversight system provided them with a new form of leverage to voice facility concerns to their districts.

PUBLIC SCHOOL STUDENTS IN CALIFORNIA HAVE INCREASED ACCESS TO APPROPRIATELY CERTIFICATED AND ASSIGNED TEACHERS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

Students’ access to appropriately certificated and assigned teachers has increased over the course of the first two years of implementation. County offices of education identified fewer schools with misassignments in 2005-06 than in 2004-05, and the overall percentage of fully credentialed teachers in decile 1-3 schools throughout the state increased from 90% in 2004-05 to 92% in 2005-06.²⁷

Accounts from administrators and teachers are consistent with these numbers, as they related significant positive changes over the course of the past few years, as exemplified by comments from a principal in Los Angeles County:

I’m seeing a trend of teachers coming qualified, whereas in the past the majority of the teachers we hired were temporary contracted teachers. The teachers I hired this past summer were qualified. That was unusual. The past trend has been teachers train here, and once they get their credential they leave.

These improvements are likely due to a combination of several reinforcing factors, including legislative and budgetary initiatives targeted at improving the educational outcomes of all students and teacher quality throughout the state. These legislative initiatives include the federal No Child Left Behind Act (NCLB), as well as the *Williams* Legislation that reiterated and expanded California’s commitment to meeting the NCLB requirements.³⁰ *Williams* also expanded the state’s existing assignment monitoring process to ensure that all teachers have the teaching assignments for which they hold the appropriate credentials or certificates.

While most schools remain on a four-year monitoring cycle, decile 1-3 schools are now monitored annually by county offices of education.³¹ In addition, county offices of education must collect and report data on misassignments resulting from teachers teaching English learners without the appropriate English learner authorization in classes in which 20% or more of the students were English learners. All misassignments and vacancies must be reported to the district superintendent for correction. Assignment monitoring data is reported to both the California Commission on Teacher Credentialing (CCTC) and the California Department of Education. In turn, the CCTC is required to submit biennial reports to the State Legislature concerning teacher assignments and misassignments, including the data from the county office of education reports.³²

“

I walk the campus every morning and every evening and whenever I see anything, I’m pretty quick to put the work orders in. I’ll put on there sometimes, ‘Williams’, and usually that puts a little speed into it.

Principal of a school in Los Angeles County

”



What is a misassignment?²⁸

A teacher is misassigned, for example, if the teacher:

- ⇒ Is teaching a subject for which the teacher is not appropriately credentialed (e.g., a teacher with an English credential teaching Algebra); or
- ⇒ Is teaching a class with one English learner or more and lacks the proper authorization and training to teach English learners.

Survey responses from county offices of education reveal an encouraging trend, as well as how much improvement is still needed. First, the encouraging trend: **the average countywide percentage of decile 1-3 schools with misassignments fell from 49% in 2004-05 to 43% in 2005-06, indicating an improvement in the appropriate placement of qualified teachers for decile 1-3 schools.**³³

Notwithstanding this positive trend, however, CCTC data reveals there were still 28,893 misassignments spread across 53% of the decile 1-3 schools in the state in 2005-06 (not including misassignments corrected by districts before the CCTC reporting deadline).³⁴ Middle schools and high schools were responsible for 90% of the misassignments.

Similarly, the number of misassignments caused by teachers lacking the required training or authorization to teach English learners remains too high, despite notable progress. Looking only at the classes in decile 1-3 schools in which 20% or more of the students were English learners, 30% of teachers in 2004-05 lacked the required

training or authorization to teach the English learners. After one year of implementation, although a direct comparison is not possible because the CCTC used different units of measurement for English learner related misassignments, improvement appears evident from the data: 13% of these classes in the decile 1-3 schools were assigned a teacher lacking the appropriate English learner authorization in 2005-06. **Yet, this figure equates to 20,200 classes in decile 1-3 schools in 2005-06 in which a substantial number of English learners received instruction from a teacher lacking the most minimal English learner authorization.**

Overall, administrators and teachers reported that improvements at their schools, such as increased access to textbooks and instructional materials and cleaner, safer facilities have assisted in both attracting and retaining teachers in recent years. For example, an administrator from the Greater Bay Area explained that since *Williams*, “Our school reputation improved a lot. So many people are willing to teach here. The faculty is more stable and not a lot of teachers are leaving.” Administrators expressed hope that improvements brought about by *Williams* and other efforts would continue to impact their ability to attract and retain highly qualified teachers to their school sites.

What is a teacher vacancy?²⁹

A “teacher vacancy” exists where a class has no single, designated full-time teacher, but is instead staffed by a series of substitutes.

FIGURE 4

Percentage of Decile 1-3 School Teachers Assigned to Classes with 20% or more English Learners Who Lacked the Appropriate EL Authorization in 2004-05

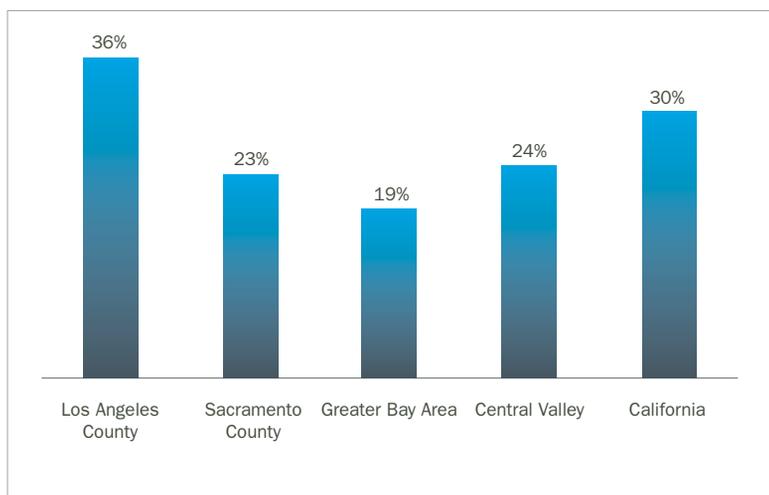


FIGURE 5

Percentage of Decile 1-3 School Classes with 20% or more English Learners That Were Taught by Teachers Lacking the Appropriate EL Authorization in 2005-06

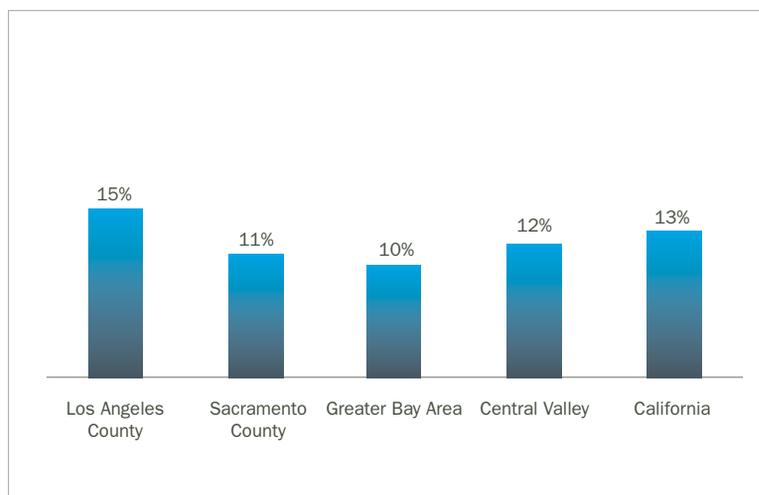


TABLE 7

Fully Credentialed Teachers in Decile 1-3 Schools By Region and Year of Implementation

	Los Angeles County		Sacramento County		Greater Bay Area		Central Valley		California	
Number of decile 1-3 schools (2003 Base API)	598		73		299		439		2,115	
	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2
Percentage of teachers in decile 1-3 schools that were fully credentialed	85%	89%	95%	95%	91%	92%	94%	94%	90%	92%

Y1 - First Year of Implementation (2004-05)
 Y2 - Second Year of Implementation (2005-06)

TABLE 8

Teacher Misassignments in Decile 1-3 Schools By Region and Year of Implementation

	Los Angeles County		Sacramento County		Greater Bay Area		Central Valley		California	
Number of decile 1-3 schools (2003 Base API)	598		73		299		439		2,115	
	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2	Y1	Y2
Percentage of decile 1-3 schools with teacher misassignments	83%*	70%	NA	67%	NA	36%	NA	26%	NA	53%

* - Information provided by the Los Angeles County Office of Education
 NA - Information not available from the CCTC
 Y1 - First Year of Implementation (2004-05)
 Y2 - Second Year of Implementation (2005-06)

“ I’m seeing a trend of teachers coming in qualified, whereas in the past the majority of the teachers we hired were temporary contracted teachers. The teachers I hired this past summer were qualified. That was unusual. The past trend has been teachers train here, and once they get their credential they leave.

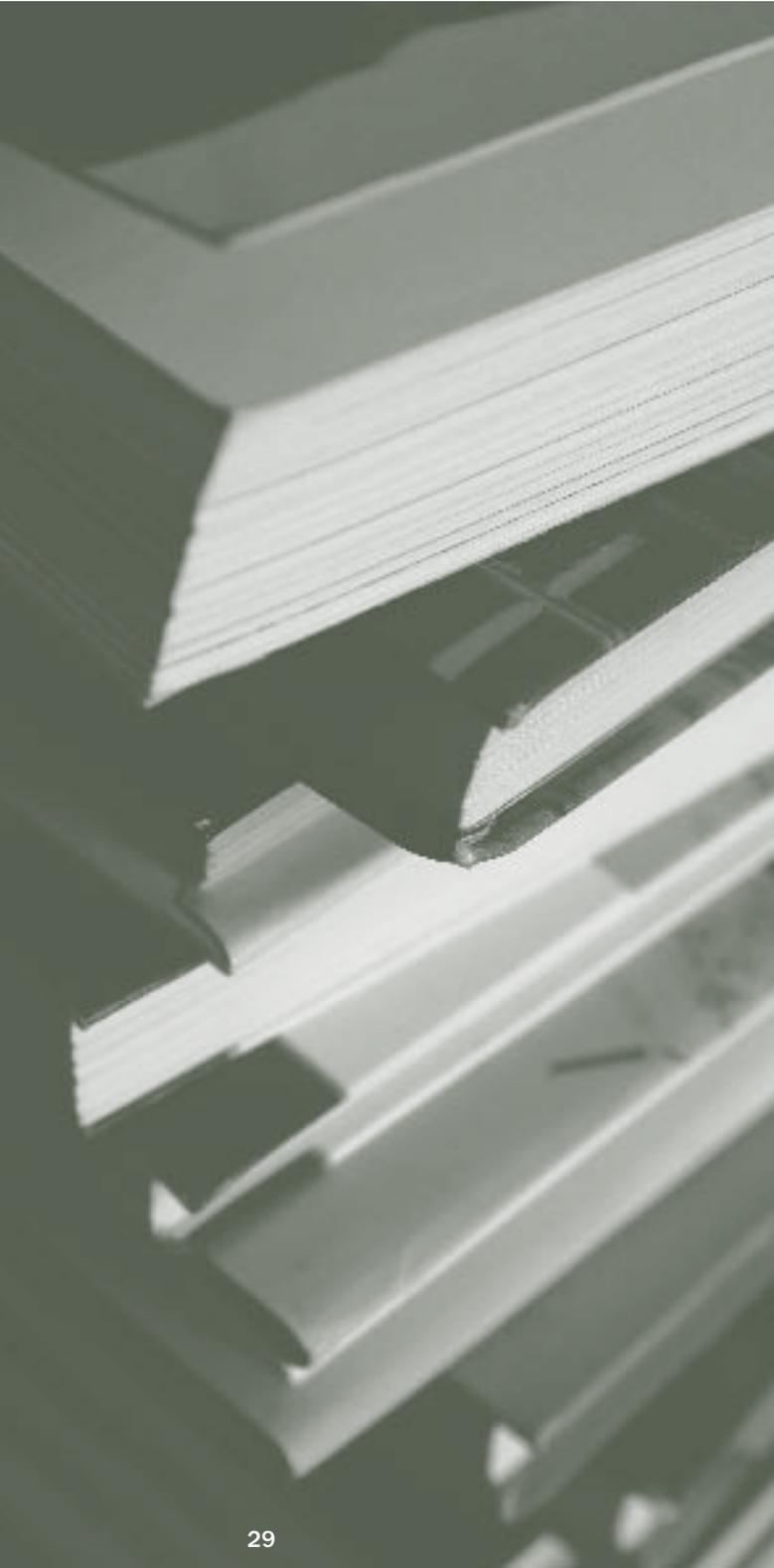
Administrator of a school in Los Angeles County





Three years ago it was horrendous. And now we don't have any misassignments; we ensure that the teachers are in the right assignment.

Administrator of a school in Los Angeles County



■ Los Angeles County

Students in Los Angeles County are receiving more of the basic educational necessities as a result of the first two years of *Williams* implementation. The percentage of decile 1-3 schools with insufficient textbooks or instructional materials declined, as did the percentage of decile 1-3 schools with teacher misassignments, and many teachers and administrators witnessed significant facilities improvements at their school sites. Yet, as described in the following section, the rate of significant improvement in the county must continue and increase if the minimum standards established by the *Williams* Settlement Legislation are to be met by all schools.

Los Angeles County is home to 80 school districts that serve nearly 1.7 million students at more than 1,700 school sites, 35% of which are decile 1-3 schools. Accordingly, the Los Angeles County Office of Education (LACOE), the largest regional educational agency in the country, is responsible for annually visiting and reviewing 598 schools that serve 737,000 students in 39 districts; these schools include 37 high schools that serve over 3,000 students each and 175 schools that are on multi-track year-round schedules and therefore require more than one visit a year. Two hundred and ninety-seven schools are within the Los Angeles Unified School District, which is the largest school district in the state, the second largest district in the country, and serves over 700,000 students in approximately 700 schools.

This section examines, in addition to county-wide data, how implementation has affected three decile 1-3 schools in Los Angeles County: Frank D. Parent Elementary School in the Inglewood Unified School District, Walton Middle School in the Compton Unified School District, and Pomona High School in the Pomona Unified School District. Interviews with teachers and administrators, in combination with school specific information and data reported by the Los Angeles County Office of Education, paint a compelling picture of how the *Williams* Settlement Legislation has improved access to the basic tools of education for public school students in Los Angeles County.

What becomes clear is that *Williams* has dramatically impacted these students' education for the better. The contrast at Frank D. Parent

Elementary School alone highlights the before and after picture of *Williams*' effect on schools and on students' educational opportunity. When *Williams* was in litigation, Frank D. Parent students could not bring books home for homework because the school did not provide them with enough books, 43% of teachers lacked full credentials, and the school bathrooms were filthy and regularly lacked toilet paper for students to use. Students in grades 6-8 did not have science textbooks or science lab equipment.

Now, after the *Williams* Settlement, conditions at Frank D. Parent Elementary School have improved dramatically. Interviews with the school principal and teachers reveal that students' access to textbooks for use both at school and at home has increased, as has students' access to a corps of committed and highly qualified teachers. In addition, the school is maintained in good repair, consistent with the new *Williams* standard. The school conducted a facilities needs assessment pursuant to the *Williams* School Facilities Needs Assessment Grant Program for decile 1 to 3 schools and identified fewer than \$2,000 in needed repairs for the school, signaling the school's new commitment to appropriate facilities maintenance.

As detailed below, the Frank D. Parent improvements are emblematic of *Williams* implementation throughout the Los Angeles region. These first two years of implementation have seen marked progress toward providing educational opportunity to students in this region, while also underscoring some necessary further improvements.

PUBLIC SCHOOL STUDENTS IN LOS ANGELES COUNTY HAVE INCREASED ACCESS TO TEXTBOOKS AND INSTRUCTIONAL MATERIALS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

The Los Angeles County Office of Education (LACOE) found increasing access to sufficient instructional materials over the course of the first two years of implementation. LACOE staff visited 278 decile 1-3 schools in 35 school districts to determine whether students had sufficient textbooks and instructional materials in 2004-05 and found insufficiencies in 22% of the decile 1-3 schools in Los Angeles County. The number of schools with insufficiencies decreased in the second year of implementation, to 14% of the 595 schools visited. **Importantly, over half of the districts visited in 2004-05 had no insufficiencies, and 70% of the districts had no insufficiencies in their decile 1-3 schools**



A closer look at the three schools visited in Los Angeles County

Los Angeles is not only the largest county in the nation, but also one of the most diverse counties in terms of its student population. In the 2005-06 school year, nearly 83% of all students in the county were students of color.³⁵ Moreover, approximately one-third of the students were English learners.

The three schools highlighted from this region—Frank D. Parent Elementary School, Walton Middle School, and Pomona High School—are all located in urban areas, similar to most schools in the region.

In 2005-06, Frank D. Parent Elementary School served 743 students in grades K through 8 (90% African American, 9% Latino, 4% English learners) and 46% of its students qualified for free/reduced price meals. Forty-two percent of the schools in the Inglewood Unified School District,

in which Frank D. Parent Elementary School is located, are decile 1-3 schools.

Walton Middle School served 700 students (32% African American, 68% Latino, 51% English learners) and 100% of its students qualified for free/reduced price meals. Ninety-two percent of the schools in the Compton

Unified School District, in which Walton Middle School is located, are decile 1-3 schools.

Pomona High School served 1,777 students (14% African American, 77% Latino, less than 5% Asian American, 45% English learners) and 72% of its students qualified for free/reduced price meals. Sixty-six percent of the schools in the Pomona Unified School District, in which Pomona High School is located, are decile 1-3 schools.³⁶

“

My daughter has no books to bring home from school for homework; she has to use Xerox copies.... I know that approximately 41 or 43 percent of the teachers at Parent are uncredentialed. It is absolutely unacceptable to me that such a high percentage of teachers do not have training in how to teach. You have to have a license to do hair, you have to have a license to drive a car, you should have to have a license to work with a mind.

Parent of a student at Frank D. Parent Elementary School, Declaration for Williams Case, June 30, 2000

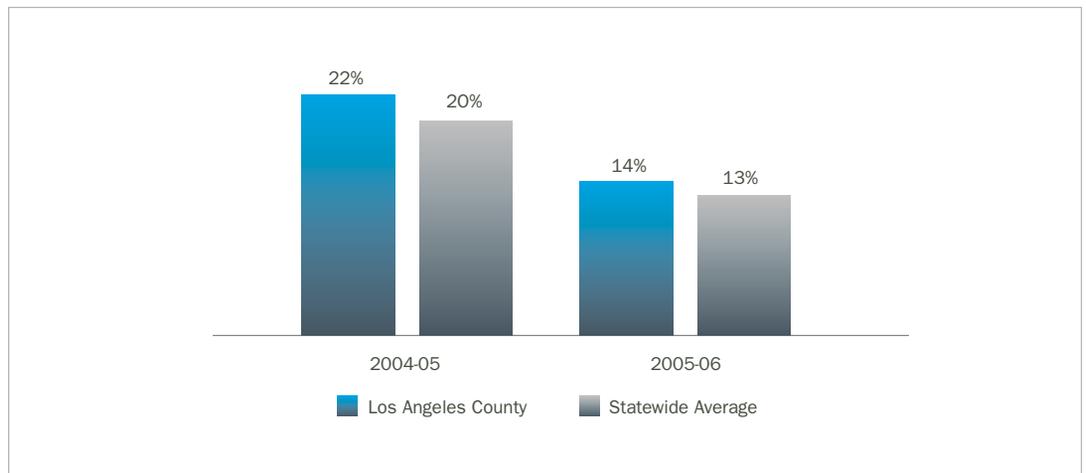
”

in 2005-06. Of the districts with insufficiencies in 2005-06, Los Angeles Unified School District accounted for 78% of all the instructional material insufficiencies. Indeed, if Los Angeles Unified schools are excluded from the analysis, the number of insufficiencies reported by schools within the county decreased by almost half between the first and second years of implementation.

Most teachers and site administrators interviewed in Los Angeles County reported increased access to textbooks in their classrooms. Some teachers expressed a need for other materials such as visual media and supplemental activity supplies to assist in teaching the state standards, but all stated students had access to basic textbook and instructional materials needs as mandated by Williams.

Administrator and teacher interviews also revealed that changes in textbook distribution practices (put in place as a result of Williams) have also made a difference in students' access to these essential materials and how quickly they receive them. Within the Los Angeles region, these practices include: 1) distributing books earlier in the semester; 2) ensuring lost or misplaced books are replaced immediately; 3) an increased awareness of the importance of having district-approved

FIGURE 6
Percentage of Decile 1-3 Schools with Insufficient Textbooks/Instructional Materials in Los Angeles County Compared to Statewide County Average



In the fall of 2005, when a Los Angeles County Office of Education Williams team entered a fourth grade classroom at Henry Clay Middle School in Los Angeles Unified School District to determine whether students had sufficient instructional materials, the students and their teacher stood up and applauded. They were expressing their gratitude for the new textbooks they had received shortly in advance of the county team's visit. The team lead, a professor at a local university, reported that the teachers and students in the other classrooms were equally enthusiastic.



books and instructional materials that are standards-aligned; 4) earlier completion of purchase orders; 5) establishment of book distribution and replacement procedures; and 6) the creation of a district-level textbook coordinator position. As one administrator stated, “I think *Williams* is making sure that we’re doing our job and doing it in a timely manner.”

Another administrator, from Frank D. Parent Elementary in Inglewood, explained how the district and schools are coordinating the allocation and distribution on textbooks better, rather than allowing some schools to have too many while others have too few:

The district has been excellent as far as providing us with textbooks, and when students lose books we kind of trade and borrow with other schools and make sure that all of our students have the textbooks that they need.

For both years of implementation, districts and the county office of education ensured that all textbook and instructional material insufficiencies were addressed: **to address identified insufficiencies, students received 13,770 replacement textbooks and/or instructional materials in 2004-05, and 50,399 replacement textbooks and/or instructional materials in 2005-06.**

PUBLIC SCHOOL STUDENTS IN LOS ANGELES COUNTY HAVE INCREASED ACCESS TO CLEAN, SAFE, AND FUNCTIONAL SCHOOLS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

An examination of first two years of implementation of the facilities provisions of the *Williams* Settlement Legislation in Los Angeles County indicates students are gaining greater access to clean, safe, and functional schools and confirms the importance of the oversight and review provisions in the *Williams* Settlement. Whereas Los Angeles County Office of Education (LACOE) staff reported relatively few emergency facilities deficiencies in the decile 1-3 schools either year, they identified at least one “good repair” deficiency at almost every school they visited both years.³⁷ This high rate of basic deficiencies underscores the value of implementing a mechanism to regularly monitor the condition of school facilities and identify necessary repairs.

Interviews with teachers and administrators revealed clear improvements at all three school sites researchers visited within Los Angeles County, with administrators and teachers lauding the tremendous efforts made by the school and the district to maintain the facilities. The principal at Pomona Senior High School commented, “From year one to year three, it’s night and day. We have cleaned up the school considerably. We are holding custodians accountable, we’re holding teachers accountable.” And, at all sites, administrators commented on the district’s positive and immediate response to facility concerns when they arise. For example, an administrator explained:

*I’m not saying that the district wouldn’t help, but I don’t know if they would be so speedy to help us right away. I definitely think *Williams* is a benefit. To me they’re all things that the schools should be providing anyway, you know, as far as textbooks and nice, clean and safe facility.*

On the surface, the LACOE reports do not appear to reflect the positive changes teachers and administrators in decile 1-3 schools witnessed from 2004-05 to 2005-06. LACOE reported “good repair”

“

*Well, we have books for every child now, no longer is it acceptable that a kid can lose a book and march on his merry way. We have accountability systems in place now and we have to do this because we know, for *Williams*, every child has to have a book.*

Administrator at a school in
Los Angeles County

”

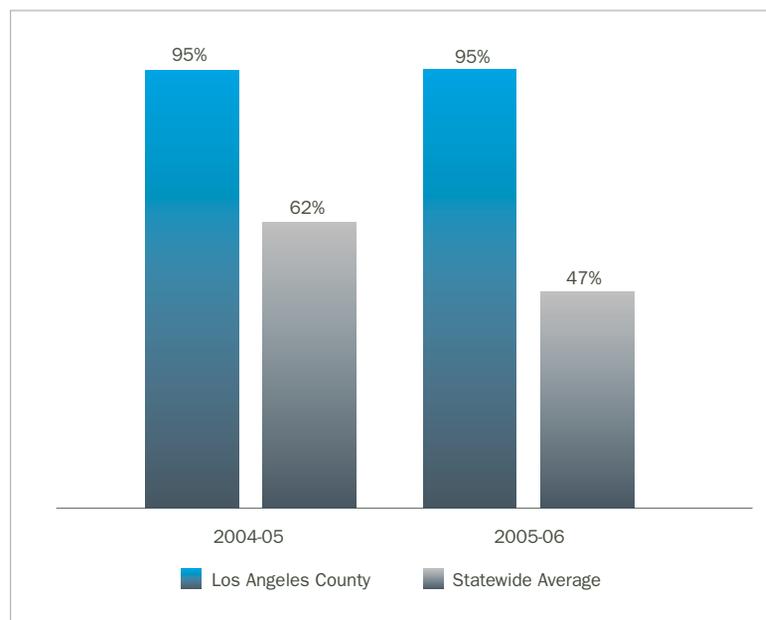


deficiencies at approximately 95% of the schools they visited both years and emergency deficiencies at 5% of the schools in 2004-05 and 9% in 2005-06. Yet the “good repair” figure can be misleading because it encompasses schools with even one relatively minor issue that district staff subsequently addressed, as well as schools with many “minor” deficiencies. Accordingly, it is difficult to measure the incremental improvements (i.e., a particular school site improving from 35 “good repair” deficiencies in the first year of implementation to only two such deficiencies in the second year) or the speed with which deficiencies are identified and repaired now. Nonetheless, the numbers underscore a need for continued vigilance within the region regarding facilities maintenance and repair, in addition to underscoring the value for students’ educational opportunity of external oversight for their school conditions.

Furthermore, the increase in the number of “emergency or urgent threats” identified could be the result of site inspectors receiving additional experience and training, and therefore being better able to help districts identify repairs that need immediate attention and qualify for funding from the Emergency Repair Program: LACOE hired a dedicated staff person to conduct visits in Year 2 and this hire allowed for more intense training and oversight and resulted in increased consistency in evaluations. The trend is positive, with schools in Los Angeles County applying for Emergency Repair Program funds in much greater numbers: as of June 1, 2007, 83 projects at decile 1-3 schools in Los Angeles County had been funded (for example, Pomona Unified School District received nearly \$200,000 to pay for roof repairs at Pomona High School), and 1810 projects were pending approval countywide.

The positive changes resulting from implementation are not always easy to quantify. A perfect example is the shift in student attitude and behavior noted by administrators and teachers. **For instance, at Pomona High School, district officials, site administrators and teachers said they noticed a change in student’s attitudes towards their school as the facility conditions improved.** Reflecting on pre-*Williams* conditions, the principal stated, “Actually, facility condition does impact the classroom, it does impact academics in my opinion, because if you can’t take pride in the school then you don’t want to be here; you want to destroy the school.”

FIGURE 7
Percentage of Decile 1-3 Schools with “Good Repair” Facility Deficiencies in Los Angeles County Compared to Statewide County Average



PUBLIC SCHOOL STUDENTS IN LOS ANGELES COUNTY HAVE INCREASED ACCESS TO APPROPRIATELY CERTIFICATED AND ASSIGNED TEACHERS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

Public school students in Los Angeles County are receiving greater access to appropriately certificated and assigned teachers each year since the *Williams* Settlement. The Los Angeles County Office of Education reported a total of 498 schools with teacher misassignments in 2004-05 and 416 schools with teacher misassignments in 2005-06, meaning that **the percentage of decile 1-3 schools with misassignments fell from 83% to 70% in a single year.**

Though fewer schools have misassignments, the percentage of schools with misassignments in the Los Angeles region still exceeds the statewide figure of 53% of decile 1-3 schools in 2005-06. Indeed, in 2005-06, there were a total of 23,168 misassignments in the entire state, with over half (57%) occurring at the high school level, and 69% of these misassignments were identified in one district—the Los Angeles Unified School District.

This data underscores a need for continued, and greater, focus on reducing teacher misassignments for public school students in Los Angeles County generally and in particular in Los Angeles Unified School District. While the data is troubling, it also yields useful information that had not been collected before the *Williams* Legislation required its collection, and that information can be, as it so far has been in the first two years of implementation, used to drive significant reductions in teacher misassignments.

A focus on misassignments in classrooms serving 20% or more English learners is of particularly critical importance in Los Angeles County. In both 2004-05 and 2005-06, the county served over 320,000 English learners within decile 1-3 schools, comprising over 44% of the total student population attending these low-performing schools. In the 2004-05 academic year, 36% of all decile 1-3 school teachers assigned to classes with 20% or more English learners lacked proper authorization to instruct English learners. In the following year, teachers lacking the proper English learner authorization taught 15% of decile 1-3 school classes with 20% or more English learners.

Notwithstanding these troubling figures, teachers and administrators commented that a focus on English learner monitoring and instruction has already made a difference. For example, a teacher in Los Angeles County reported previously never hearing anything about Specially Designed Academic Instruction in English (SDAIE), which is specialized instruction for teaching non-English students using the English language, such that students gain skills in both the subject material and in using English. Yet now, the teacher said, SDAIE is emphasized and all teachers are expected to know the techniques. In addition, the teacher explained that “with each year that goes by more and more teachers” have Crosscultural, Language, and Academic Development (CLAD) certificates, which authorize teachers to provide instruction for English Language Development and SDAIE, because CLAD training is part of the credentialing program for new teachers. According to the teacher, this combination of SDAIE and CLAD training means “we all know the basics...and then we build from there with new things.”

“

Because that's the first thing you say, 'Are you highly qualified?' and if you're not, you can't get a contract. We have very few of those now; we used to have a lot. We have better quality teachers; they come in with more knowledge and more information.

Teacher at a school in Los Angeles County

”

“ One administrator in Los Angeles County described how she was initially reluctant about *Williams* implementation at her school. Over time she recognized the positive impact of the Settlement Legislation on her school and students. She stated:

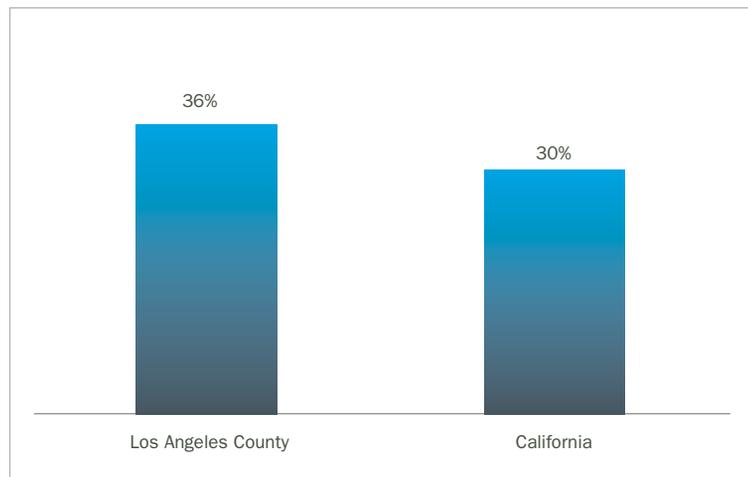
At the beginning I probably wouldn't have been as supportive about Williams. It was difficult to understand, I'm sure everybody was in the same boat. But our district did take Williams and dissected it, trained us and continued to train us. Anything new that comes out with Williams we are always told about it. I know the district is really trying hard to improve our schools in those areas, and there have been improvements. As a site administrator, Williams is right at my back helping me to get things done. ”

Although misassignments and/or vacancies were identified in 2005-06 at all three schools in Los Angeles County visited for this report, administrators at both the middle school and elementary school reported that they had no misassignments or vacancies for the 2006-07 academic year. At all three sites, administrators and teachers commented on the improvements they had seen over the years as a result of No Child Left Behind and the *Williams* Legislation.

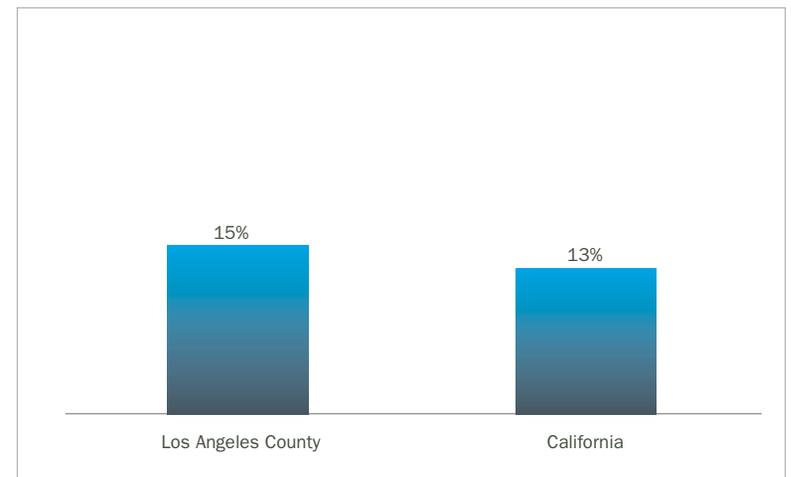
Administrators specifically articulated a solid understanding of their responsibility to hire and appropriately assign credentialed teachers

as a result of *Williams* and No Child Left Behind. As one principal stated, “If you have a teacher that is teaching out of their credentialed area, that’s on you as an administrator...it’s not on anyone else.” With an understanding of the Settlement Legislation, administrators felt empowered to take the necessary steps to provide their students with highly qualified and appropriately assigned teachers, which often included working with their districts to ensure all classes were staffed appropriately.

FIGURE 8
Percentage of Decile 1-3 School Teachers Assigned to Classes with 20% or more English Learners Who Lacked the Appropriate EL Authorization in 2004-05



Percentage of Decile 1-3 School Classes with 20% or more English Learners That Were Taught by Teachers Lacking the Appropriate EL Authorization in 2005-06



■ Sacramento County

Learning conditions for students in Sacramento County’s decile 1-3 schools have improved during the first two years of *Williams* implementation. The percentage of schools with textbook or instructional materials insufficiencies was cut nearly in half in one year, and teachers and administrators highlighted how buildings and grounds have benefited from the well-defined facilities standards and related accountability systems. Nonetheless, notable challenges remain, particularly with respect to teacher misassignments. The high numbers of teacher misassignments, particularly those caused by a lack of English learner authorization, are similar to the numbers found in other regions, and illustrate the importance of the new *Williams*-required focus on such misassignments. Overall, the decile 1-3 schools in Sacramento County have made significant strides and must continue to do so before they can say they provide all students with the essentials required by *Williams*.

Sacramento County is comprised of 16 school districts serving over 230,000 public school students in the state’s capital and surrounding areas. There are 337 elementary, middle, junior and high schools in the County, of which 73 are decile 1-3 schools and therefore subject to additional oversight by the Sacramento County Office of Education (SCOE) under the *Williams* Legislation. These 73 schools are spread across 11 districts, but 47% are in the Sacramento City Unified School District, the ninth largest district in California.

In conjunction with countywide data, this report examines one elementary school, one high school and one alternative high school in Sacramento County. Two of the schools, Mark Hopkins Elementary School and Luther Burbank High School, are in the Sacramento City Unified School District, while El Sereno High School is in the San Juan Unified School District. Information and interviews from these three sites provide tangible examples of what is apparent from the data: *Williams* is making a positive difference.



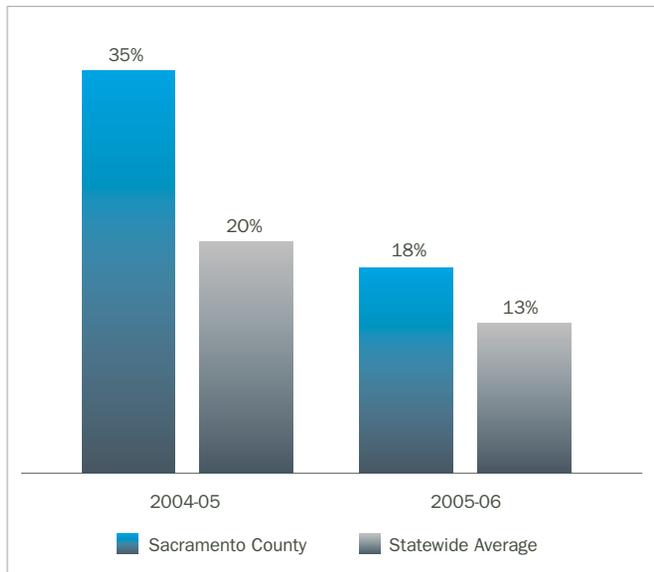
A closer look at the three schools visited in Sacramento County

Sacramento County schools serve a diverse public school student population, with proportionally more African American (16%), Asian American (13%), and White (40%) students than the state overall, and a significant number of Latino students (24%). ³⁸ Nineteen percent of the students enrolled in schools in the county are English learners, and 46% are eligible for free/reduced price meals. ³⁹	the students were English learners, and 69% qualified for free/reduced price meals. ⁴¹ Thirty-eight percent of the schools in the Sacramento City Unified School District, in which Mark Hopkins and Luther Burbank are located, are decile 1-3 schools.
--	---

Mark Hopkins Elementary School, Luther Burbank High School, and El Sereno High School are located in urban areas and served, 409, 2,199, and 308 students, respectively, in 2005-06.	El Sereno High School, an alternative small independent study program that provides an accelerated and modified curriculum for students in grades 9-12, shares a campus with a larger, traditional high school that is not ranked in deciles 1-3, and unlike other schools visited for this report, served a predominately white student population (83%) with few English learners. Nine
--	---

Mark Hopkins Elementary is a year-round school that enrolls children in grades K-6. In 2005-06, 50% of the students were English learners and all of the students qualified for free/reduced price meals. ⁴⁰ At Luther Burbank, 45% of	percent of the schools in the San Juan Unified School District, in which El Sereno is located, are decile 1-3 schools.
---	--

FIGURE 9
Percentage of Decile 1-3 Schools with Insufficient Textbooks/Instructional Materials in Sacramento County Compared to Statewide County Average



PUBLIC SCHOOL STUDENTS IN SACRAMENTO COUNTY HAVE INCREASED ACCESS TO TEXTBOOKS AND INSTRUCTIONAL MATERIALS SINCE THE ENACTMENT OF THE WILLIAMS LEGISLATION

Sacramento County Office of Education (SCOE) reviews of the decile 1-3 schools identified textbook insufficiencies during both years of *Williams* implementation, but the numbers decreased dramatically in the second year and SCOE reported that all insufficiencies were corrected within the first two months of the school year both years. Of the 11 districts with decile 1-3 schools in the county, eight districts had school sites with textbook or instructional material insufficiencies in 2004-05. In 2005-06, the number of districts with insufficiencies fell to five. **The overall percentage of decile 1-3 schools in the county with insufficient instructional materials decreased significantly from 35% in 2004-05 to 18% in 2005-06.** Figure 9 illustrates how the one-year decrease in Sacramento County mirrored the statewide trend.

SCOE identified textbook or instructional material insufficiencies at all three schools visited for this report during the first year of implementation, but all three schools successfully assured that no textbook shortages existed in the



second year of implementation when county office staff visited again. At Luther Burbank, for example, the county office of education review team noted in the first year that: “Observation and teacher statements indicate that students in some classes are provided one of the two core texts, while others are provided with both texts.” In addition, textbook insufficiencies were found in Algebra 2, special education classes, physical/Earth science, physics, economics, U.S. government, U.S. history, and insufficiencies in laboratory supplies for science. However, all identified insufficiencies were corrected in during the same year, and no insufficiencies were detected at Luther Burbank High School in 2005-06.

Teachers and administrators at all three sites also articulated that increased access to basic instructional materials as a result of the *Williams* Legislation caused their schools to address other issues related to assisting students in meeting and mastering state standards. With access to the necessary and basic instructional materials, teachers and administrators felt they could now begin to “fill gaps,” and “take [students] to the next level.”

Significantly, teachers at these three sites articulated a new sense of openness regarding the expression of these needs. **All teachers plainly stated that they could easily approach a school administrator with material needs—required or otherwise—due to increased attention to textbooks/instructional materials, as a result of *Williams*.** As in the case of the other regions we visited, access to funding determined whether schools, classrooms, teachers and students acquired these materials. As one administrator stated, “I think that one of the messages we’re hearing in Sac. City now is that these textbooks are a means to help them meet state standards, but as a teacher realizes that your kids need extra help or extra support in one of these areas, if something is not covered adequately, then we need to try to get additional stuff, whatever it is.” Teachers and administrators report that an effect of increased statewide focus on provision of essential textbook and instructional materials needs is that school and district cultures have changed to become more supportive of and creative about satisfying other instructional support needs as well.

PUBLIC SCHOOL STUDENTS IN SACRAMENTO COUNTY HAVE INCREASED ACCESS TO CLEAN, SAFE, AND FUNCTIONAL SCHOOLS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

Students attending decile 1-3 schools in Sacramento are entering cleaner, safer, and more functional schools since implementation of the *Williams* Settlement started. According to the results of *Williams* site reviews posted on the Sacramento County Office of Education website, only one decile 1-3 school (1%) had an emergency facility condition in the 2004-05 school year, and none did in 2005-06. **Sacramento County Office of Education staff reported that the decile 1-3 schools were in generally good condition, though they identified some repair needs at 88% of the schools in 2004-05, and at 73% of the schools in 2005-06. The county office of education urged schools to address the identified needs, and teachers and administrators reported significant facility improvements since *Williams* at all three school sites visited.** A teacher from Mark Hopkins Elementary School stated,

Broken windows are taken care of, graffiti is taken care of quickly, trees have been planted, you know, they've come in and try to make the campus look better. I think administration and custodians act a little faster to getting things finished or quickly taken care of.

“

I think the voices are being heard from teachers who say, 'we've got this district-adopted textbook, but I want us to kind of go beyond.' Williams helps me to say, 'You know what? Let's kind of re-think things, is there money available to purchase this additional textbook?' So yeah, I think it has allowed teachers to become more empowered.

Administrator at a school in Sacramento County

”

KEY LESSON

Many of the 12 teachers interviewed at the schools in Sacramento County reported having class sets that allow students to keep their individually assigned textbooks at home. Teachers and administrators across the state routinely describe such arrangements as ideal if funds are available.



In addition to the increased school responsiveness to facilities conditions that these teachers and administrators describe, the *Williams* School Facilities Needs Assessments identified minor repairs that were needed at two of the schools visited for this report, Mark Hopkins Elementary and El Sereno, and more substantial repairs—totaling over \$1 million—for Luther Burbank, which is still in the process of modernization. The districts now are responding to the facilities issues identified in the assessments and through their own “good repair” inspections. For instance, Sacramento City Unified received Emergency Repair Program funds for repairs at Mark Hopkins and Luther Burbank. Some facility improvements are also attributable to local bond measures, scheduled maintenance, and modernization, but *Williams*, according to administrators, “pushed” the district to maintain these schools sites on a regular basis. *Williams* assures teachers, students and parents that they will attend a clean and safe school facility today, tomorrow, and the following day, as described by an administrator from a school in Sacramento County:

It's slowly working. It's not enough that you go ahead and refurbish. It's all about maintaining now, because I think in the past many school districts, probably like this one in particular, we would get one-time money to beautify the school and it's bond money, but we wouldn't do a good job over a period of time, we just didn't do that. Williams forces the district to stay on top of maintenance.

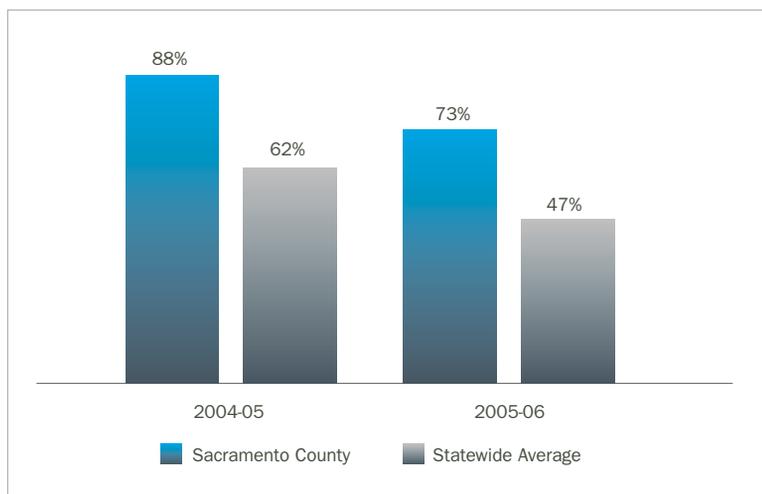
PUBLIC SCHOOL STUDENTS IN SACRAMENTO COUNTY HAVE INCREASED ACCESS TO APPROPRIATELY CERTIFICATED AND ASSIGNED TEACHERS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

Consistent with statewide trends, access to appropriately certificated and assigned teachers has improved for the public school students of Sacramento County over the course of the last few years and needs to improve more. Schools in the county provided more fully credentialed teachers during the first two years of *Williams* implementation: In decile 1-3 schools, 95% of teachers in both 2004-05 and 2005-06 were fully credentialed (up from 92% for all schools in 2001-02).⁴² Interestingly, however, there were many schools within the region wherein 100% of teachers were fully credentialed, but misassignments still occurred (20 instances in 2005-06). This information, together with the high rate of teacher misassignments across the region, clearly underscores the importance of *Williams* monitoring. Before *Williams* there was no definition of misassignment in law, no requirement in California law that teachers of English learners must obtain English learner-related credentials, and monitoring of decile 1-3 schools occurred only once every four years.

Sacramento area administrators discussed their concerns about the ongoing difficulty of obtaining qualified teachers in certain subject areas such as mathematics, science, and special education, voicing a major concern shared by administrators in other decile 1-3 schools throughout the state. Misassignments were identified and reported at 67% of all decile 1-3 schools in the region in 2005-06, exceeding the statewide figure (53%). The greatest proportion of these misassignments, 42%, occurred at the high school level. Thirty-five percent occurred at the middle school level, and 23% occurred at the elementary school level. As a result of *Williams* misassignment data collection, schools, districts, the Sacramento County Office of Education, and the California Commission on Teacher Credentialing are working together to address particular subject area needs in the Sacramento Region.

Teacher misassignments are a particularly significant problem for English learners in Sacramento County: in 2004-05, 23% of the teachers of classes in which at least 20% of the students were English learners in decile 1-3 schools did not have the required training or authorization to teach English learners. The situation appears to have improved in 2005-06, when teachers with the required training or authorization taught 89% of classes with 20% or more English learners, but this still left far too many English learners in classes with misassigned teachers.

FIGURE 10
Percentage of Decile 1-3 Schools with “Good Repair” Facility Deficiencies in Sacramento County Compared to Statewide County Average

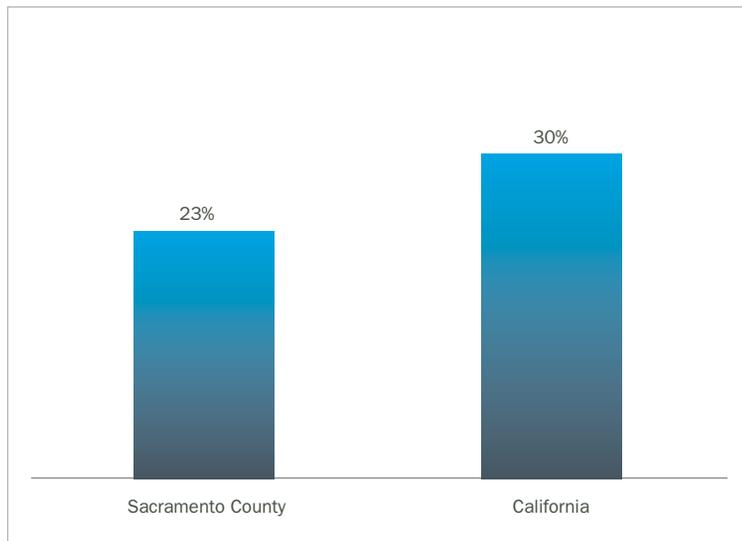


Many administrators and teachers interviewed in Sacramento County discussed improvements in teacher quality they had witnessed over the course of the last few years. In particular, they commented that school and district policies, in combination with No Child Left Behind and

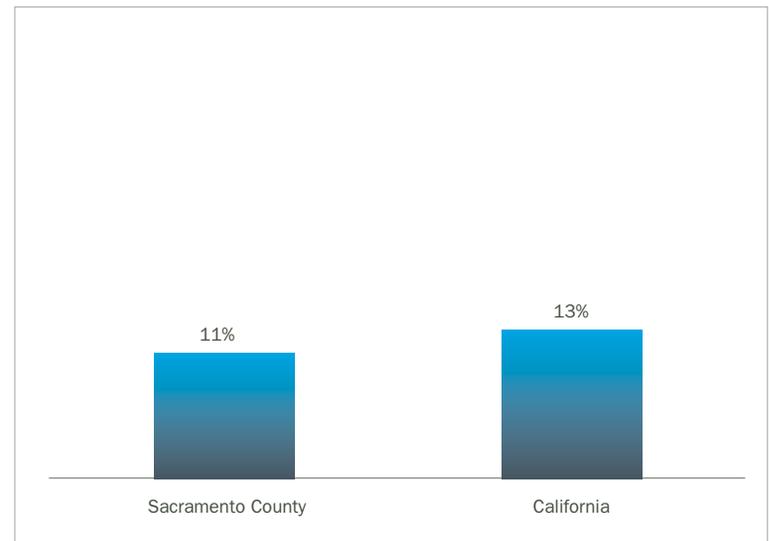
Williams, have ensured that new teachers are not only qualified, but are committed to the profession and to tackling the important challenges in harder-to-staff schools.

FIGURE 11

Percentage of Decile 1-3 School Teachers Assigned to Classes with 20% or more English Learners Who Lacked the Appropriate EL Authorization in 2004-05



Percentage of Decile 1-3 School Classes with 20% or more English Learners That Were Taught by Teachers Lacking the Appropriate EL Authorization in 2005-06



Praise for *Williams* from Administrators and Teachers in Sacramento



A district administrator mentioned that while the first *Williams* site visit was difficult and there was no sense of “why this was happening,” by the second year schools and districts welcomed and appreciated the changes *Williams* brought: “Now, there is a real sense that this is something that needs to remain in place.” One principal reiterated this point: “I don’t know what would happen if there wasn’t *Williams* and all of a sudden, you know, it would be just kind of us on our own.”

Another administrator characterized *Williams* as “long overdue,” expressing

appreciation for the ways *Williams* implementation is “making sure” schools provide textbooks and other basic needs and “that principals on down know that they have to be accountable to someone. It’s a good thing.”

One Sacramento area teacher perhaps put it most succinctly, saying that *Williams* implementation is moving “in the positive direction—certainly here. Every year it’s a better place to be for the kids. We’re very proud of being here.”



■ The Greater Bay Area

Consistent with results statewide and in the other regions, *Williams* implementation has brought about improvements in the decile 1-3 schools in the Greater Bay Area. Students are increasingly receiving all the instructional materials they need at the beginning of the school year; county offices of education are finding fewer facility deficiencies when they visit; and overall, the schools are staffed with greater numbers of qualified teachers. At the same time, while county office of education oversight and systemic changes at the district level are helping ensure students receive the books they need, more of the region's decile 1-3 schools continue to suffer from more insufficiencies than in other parts of the state. Likewise, the percentage of schools with unsafe or unhealthy facility conditions remains much too high, and within two counties, the decile 1-3 schools are struggling more than others in their attempts to provide all students with minimally qualified teachers. In short, the section below explains how the improvements in the Greater Bay Area's decile 1-3 schools are a testament to the value of the *Williams* Settlement Legislation and county office of education oversight, yet students need the pace of improvement to pick up even more and for all schools to comply fully with the *Williams* standards.

The Greater Bay Area encompasses a total of nine counties, each with its own county office of education: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma.⁴³ All nine county offices of education provide additional oversight to decile 1-3 schools under the *Williams* Legislation. As a whole, the region is home to 299 decile 1-3 schools, 50% of which are within Alameda and Contra Costa Counties.

The county offices of education in Greater Bay Area serve widely varying numbers of schools and districts, and some conduct a significant number of *Williams* visits and reviews, while others are responsible for only a couple such visits and reviews. In 2004-05 and 2005-06, for example, 33% schools in San Francisco County were in deciles 1-3, contrasted with only 3% of schools in Marin County. Similarly, Napa County serves approximately 19,000 students while Alameda County serves over 210,000, and Santa Clara serves over 250,000.

The experiences of three schools—a high school in the San Francisco Unified School District that will be identified as “Vista High School” throughout this report because site administrators requested the use of a pseudonym, Edna Brewer Middle School in the Oakland Unified School District in Alameda County, and Green Oaks Elementary in the

Ravenswood City Elementary School District in San Mateo County—combined with survey results and annual reports from the county offices of education in the region, provide insight into how the *Williams* Settlement Legislation has made an impact on decile 1-3 schools within the Greater Bay Area. For example, comparing the conditions at Vista High School in San Francisco before and after the settlement highlights how the *Williams* Legislation is making a real difference in the everyday experiences of students and teachers.

When *Williams* was in litigation, Vista High School students regularly lacked textbooks to use in class or at home for homework; the school facilities were routinely decrepit, with rat infestations, longstanding broken windows, and locked and filthy bathrooms; and teacher vacancies and misassignments were the norm. After only two years of *Williams* implementation, the school is such a transformed site that teachers characterize it as “remarkable.”

PUBLIC SCHOOL STUDENTS IN THE GREATER BAY AREA HAVE INCREASED ACCESS TO TEXTBOOKS AND INSTRUCTIONAL MATERIALS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

Greater Bay Area students’ access to textbooks and instructional materials improved greatly in the first two years of *Williams* implementation. As one teacher commented:

Absolutely, they have enough textbooks now. I have a class set and a take-home set.... They're brand new textbooks this year in 10th grade, and every kid got them and the district made sure that every kid got these books.... The book situation is great. We say we need this book; they get it for us. There's no question. It's amazing how new adoptions are happening on time. The book thing, they've just taken it very seriously, and it's remarkable, the difference.

Ensuring this “remarkable” difference is not a temporary phenomenon will require continuing vigilant implementation of the *Williams* oversight mechanisms in the Greater Bay Area, as evidenced by the regional data from the first two years of implementation. In 2004-05, eight of the nine county offices of education within the Greater Bay Area, which are responsible for overseeing 95% of the decile 1-3 schools in the region, reported that a relatively staggering 45% of schools they visited had insufficient textbooks or instructional materials. **The results of the 2005-06 county office of education visits, however, indicated good progress, as the percentage of schools with insufficient textbooks and/or instructional materials fell to 29% in 2005-06, but this figure remains much too high and exceeds the statewide county average of 13% (see Figure 12).** Moreover, while the percentage of schools with insufficiencies declined between Year 1 and Year 2, the number of classrooms with insufficiencies remained relatively constant and



A closer look at the three schools visited in the Greater Bay Area

The three schools visited in the Greater Bay Area illustrate some of the similarities and differences found among decile 1-3 schools within the region.

A high school in the San Francisco Unified School District, which will be identified as “Vista High School” throughout this report because site administrators requested the use of a pseudonym, served approximately 1,000 students, grades 9-12, in 2005-06.⁴⁴ Most of the students were students of color; 22% were English learners; and 61% qualified for free/reduced price meals.⁴⁵

Edna Brewer Middle School in the Oakland Unified School District in Alameda County served 672 students, grades 6-8, in 2005-06. As with Vista High School, the student population was predominantly composed of students of color, 14% were English learners, and 77% qualified for free/reduced price meals.⁴⁶

Green Oaks Elementary in the Ravenswood City Elementary School District in San Mateo County served 392 students in grades K-3 in 2005-06. One hundred percent of the students were students of color. Eighty-seven percent of the students were English learners and 91% qualified for free/reduced price meals.⁴⁷

“

We have some teachers who in the past would plan as if they were not going to get the instructional materials. They would start making copies of the first lessons from the workbooks to start off the year.. This year they were very excited that they actually had all the workbooks that they needed. They had the textbooks, they had everything there. It is a positive change.

The Principal of Green Oaks Elementary in Ravenswood City Elementary School District, discussing how the combination of San Mateo County Office of Education oversight and district efforts to address procedural weaknesses made a tangible difference for teachers and students.

”

the number of textbooks/instructional materials that had to be supplied to students to remedy the insufficiencies increased from 6,751 in 2004-05, to 8,920 in 2005-06.

These seemingly inconsistent trends in the Greater Bay Area mirror the statewide numbers (as described on page 19), and also likely result from the clarified standards and better training. Certainly if the trends continue into the third year of implementation, questions would arise about whether certain schools with persistent insufficiencies need more intensive assistance. At this point, the facts that more and more decile 1-3 schools in the Greater Bay Area are providing students with sufficient textbooks and instructional materials within the first four weeks of school, and that all decile 1-3 schools ultimately provided their students with sufficient textbooks and instructional materials within the first two months of school the past two years, prove *Williams* is working. The value of county office of education oversight is clearly evident.

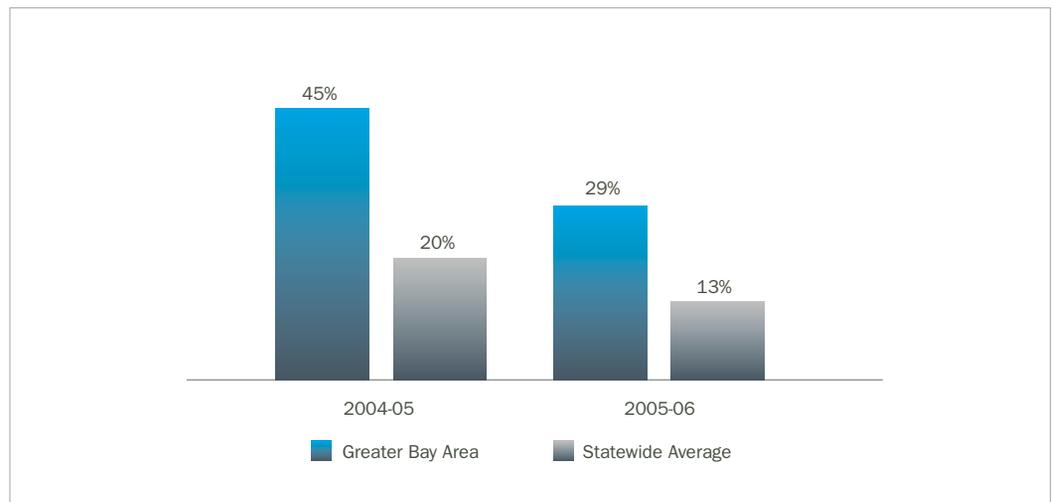
Nowhere is the evidence of *Williams*' impact more evident than at Vista High School,⁴⁸ and much credit goes to the effective system San Francisco Unified School District staff established to meet the requirements of the Settlement Legislation and ensure all schools received sufficient textbooks and materials. As one administrator explained, since *Williams*:

It's no challenge to provide standards-aligned textbooks to teachers and students, it's easy because the district is very attentive. Every school year they give us the form about, 'do you have sufficient materials?' If you do not have sufficient textbooks, how much do you need, write the requisition form, give to the district, and the district will purchase the textbooks right away.

San Francisco Unified reports that *Williams* visits revealed that 14% of its decile 1-3 schools had insufficient textbooks and instructional materials in the first year of implementation, but district reforms resulted in zero insufficiencies in the second year of implementation.

FIGURE 12

Percentage of Decile 1-3 Schools with Insufficient Textbooks/Instructional Materials in the Greater Bay Area Compared to Statewide County Average





Alameda County districts have not been as successful as San Francisco Unified yet, but countywide there has been progress since the Alameda County Office of Education found a distressingly high number of decile 1-3 schools with insufficient textbooks and/or instructional materials in the first year of *Williams* implementation. **In 2004-05, 88% of all Alameda County decile 1-3 schools had insufficiencies. In 2005-06, the total fell to 64%.⁴⁹ All identified insufficiencies were remedied in both years.**

In order to prevent such large numbers of annual insufficiencies, several middle school and high school sites invested in electronic textbook tracking systems that have been effective in improving distributional and tracking procedures, according to the Alameda County Office of Education. School site staff also repeatedly emphasized the value of improving textbook distribution procedures. For example, the principal at Edna Brewer Middle School stated:

I don't understand people who don't give out textbooks. When I got here they had no system for giving out textbooks, they were 90 books short in World history in the 8th grade. It was just crazy. I spent \$23,000 on replacement textbooks in my budget the first year I was here. You can't buy anything before you buy textbooks, or books, or supplemental books.

New *Williams*-driven procedures and support have yielded better results in San Mateo County as well. In particular, all seven of the decile 1-3 schools in the Ravenswood City Elementary School District provided students with sufficient textbooks and instructional materials in 2005-06, just one year after the San Mateo County Office of Education found every one of these schools had an insufficiency. The principal of one of the district's decile 1-3 schools, Green Oaks Elementary School, described the collaboration between county office of education, district, and school staff that led to these results:

This year getting sufficient standards-aligned textbooks and instructional materials is not so much of a challenge because we have procedures in place and we have someone at the district office that's working around this area in supporting the schools, and also we have someone here on site that coordinated all the inventories and delivering all the materials to the teachers.

Other San Mateo County districts with decile 1-3 schools are still striving to meet the sufficient standard within

the first month of the school year. In 2005-06, the San Mateo County Office of Education found seven of the 17 decile 1-3 schools in the county had insufficient textbooks and/or instructional materials. One San Mateo County administrator noted that all these insufficiencies were remedied and results from the third year of implementation should be better because "it took the second round of *Williams* annual visits, with the potential for serious consequences for non-compliance, for the impact of *Williams* to be felt," and an enhanced understanding of *Williams* at all levels has led to accurate identification of insufficiencies, and procedural modifications at the district level to prevent insufficiencies long-term.

PUBLIC SCHOOL STUDENTS IN THE GREATER BAY AREA HAVE INCREASED ACCESS TO CLEAN, SAFE, AND FUNCTIONAL SCHOOLS SINCE THE ENACTMENT OF THE WILLIAMS LEGISLATION

By all indications, facilities in decile 1-3 school campuses in the Greater Bay Area are in better shape since implementation of the *Williams* Settlement Legislation began and repairs are typically being completed more quickly. **The percentage of decile 1-3 schools in which county offices of education found "good repair" deficiencies fell from nearly 75% in 2004-05 to 63% in 2005-06.⁵⁰** This regional improvement tracks the statewide numbers, though the percentages exceeded the statewide county averages of 62% and 47%, respectively.

The percentage of decile 1-3 schools in the Greater Bay Area with facility conditions posing emergency or urgent threats to the health and safety of students or staff slightly increased between years: 30% of schools in 2004-05, compared to 35% of schools visited in 2005-06. This increase in the regional percentage is largely the result of the Contra Costa County Office of Education identifying 18 more emergency facility conditions in 2005-06 than in 2004-05. Fortunately, oversight and identification of these critical facility problems appears to be leading to safer and healthier schools. The Contra Costa County Office of Education has made the results of its third year visits publicly available already, and the percentage of schools with emergency facility conditions is on the decline now.⁵¹

The data reported by county offices of education reflects what teachers and administrators are reporting: that work orders and facility problems are receiving more attention as a result of *Williams*. For example, teachers and administrators at Green Oaks Elementary School said the



district now attends to facility repair needs much more quickly than in the past. The principal of Edna Brewer Middle School expressed a similar sentiment regarding her district: “I think *Williams* kind of put a little bit of fire under their butt.”

Edna Brewer Middle School is an old school site; the original structure was constructed in 1939. The challenges of maintaining an older site were evident in the Alameda County Office of Education facility reports that identified “urgent” and “good repair” facility needs both years, but there were significantly fewer in Year 2, underscoring the value of the facilities standards and oversight visits. The principal acknowledged some persistent facility issues, which appear to be a disturbing trend in the Oakland Unified School District, but opined that with recent improvements, Edna Brewer is more than clean, safe, and functional, it is inviting. Teachers likewise described the continuing hard work and commitment of the principal, parents, and community members to beautifying the campus by planting trees, building planters and walkways, and painting murals in order to create a more welcoming and appealing environment for students.

Vista High School⁵² in San Francisco, at almost 80 years old, is even older than Edna Brewer, and during the early stages of the *Williams* litigation, students and teachers testified that the school was beset by heating and ventilation problems, rodents were routinely sighted in classes, and restrooms were in severe disrepair. The administrators and teachers interviewed for this report now say the school is on

the right track and facilities are receiving increased attention as a result of the *Williams* Settlement Legislation. Comments from two teachers in particular captured this common sentiment:

It's okay, not run down, in pretty good shape, much better than it used to be. It was a pretty depressing place before I started working here. It was repainted, and since then they've done a good job of maintaining the overall integrity of the facilities. It didn't feel like a healthy place to be. They cleaned up a lot of graffiti and the mess and it's just a lot more pleasant to be here. Since I've been working here, bathrooms that used to be really just awful and nasty have been cleaned on a regular basis. Overall conditions are much better than they were.

Two years ago, before the Williams case, maybe there's some bathroom mess, some graffiti, some terrible conditions. After the Williams case everything changed. Remodeled the bathroom, if we find some graffiti we just erase it right away, paint it over.

Site administrators at Vista High School said they are aware of the district's commitment to *Williams* implementation, and as such have ascertained that the *Williams* Legislation can provide leverage to address their facility needs, a sentiment repeatedly expressed by site administrators across the state:



Sometimes the facility is beyond my ability. But if we say this is urgent, this is a safety issue, the district will send people right away. If the issue is related to Williams...they will listen, they will respond, they will send people right away.



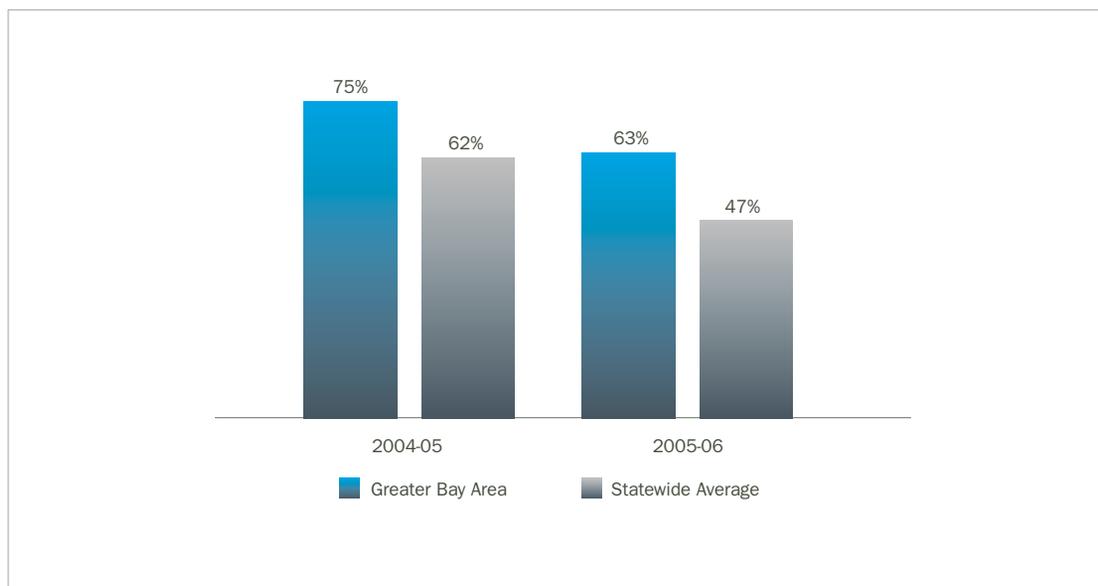
Consistent and vigilant implementation of the *Williams* “good repair” standard should ensure that such responsiveness becomes the norm and all students attend schools that are at least clean, safe, a functional.

PUBLIC SCHOOL STUDENTS IN THE GREATER BAY AREA HAVE INCREASED ACCESS TO APPROPRIATELY CERTIFICATED AND ASSIGNED TEACHERS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

Overall, the percentages of fully credentialed and appropriately assigned teachers in Greater Bay Area decile 1-3 schools have improved since the *Williams* Legislation was enacted: 92% of the teachers were fully credentialed in 2005-06, up slightly from 91% in 2005-06; the percentage of decile 1-3 schools in the Greater Bay Area with teacher misassignments in 2005-06 was 36%, lower than the state’s 53%; and 10% of the classes in which 20% or more of the students were English learners were taught by a teacher lacking the required training or authorization to teach English learners, just a year after 19% of the teachers in such classes were misassigned.⁵³

These relatively encouraging regional numbers do not reflect the situation in the decile 1-3 schools in Alameda and San Mateo Counties. In 2004-05, only 93% and 85%, respectively, of the teachers in

FIGURE 13
Percentage of Decile 1-3 Schools with “Good Repair” Facility Deficiencies in the Greater Bay Area Compared to Statewide County Average





I think that over the last three, four years we've learned a lot together through professional development, through coaching, through mentoring; I think we all have learned so much in terms of direct instruction in the classroom and overall vision in getting things accomplished in the school and having long-term goals at the school. From the administrative end, what resources do we need here to make it better? I think we improved the quality of teaching and the program here.

Principal of a school in the Greater Bay Area



Alameda County and San Mateo County's decile 1-3 schools were fully credentialed. In 2005-06, Alameda remained at 93% and San Mateo fell to 81%. In addition, 88% of the decile 1-3 schools in San Mateo County had at least one teacher misassignment in 2005-06.⁵⁴ **Within these schools, the classes with 20% or more English learners were all too often taught by teachers lacking the appropriate authorization: in 2004-05, 30% of the teachers in these classes in San Mateo and 27% of the teachers in these classes in Alameda lacked the appropriate authorization. In 2005-2006, teachers lacking the appropriate English learner authorization taught 19% and 14% of these classes in Alameda and San Mateo Counties, respectively.**

Yet even in the schools with lower percentages of fully credentialed and properly assigned teachers, the years since the *Williams* case was filed have seen marked improvement. For example, at Green Oaks Elementary School in the Ravenswood City Elementary School District, 77% of the teachers were fully credentialed in 2005-06 whereas only 42% of the school's teachers were fully credentialed in 2000-01.⁵⁵

This gain in provision of fully credentialed teachers at that school site is relatively impressive given the continuing challenge that the district faces in recruiting and retaining high quality teachers when surrounding, more affluent school districts pay higher teacher salaries. Administrators highlighted the particular challenges of finding and retaining teachers credentialed to teach math, science, special education and English learners. As one Green Oaks teacher explained, "we're still always fighting to stay where we could be or should be because of teacher turnover." But Green Oaks staff believe that "always fighting" on this issue is paying off:

This past year, out of the five teachers we hired, only two are first-year teachers. So it's changed a lot, dramatically. One of the most significant changes has been a lot of the structures that have been placed at the school sites with professional development, with teacher support in the classroom with students. Instructional materials plays a big part in that, providing the professional development around the curriculum, and providing the curriculum for writing the materials; and also providing teachers with the resources to meet the needs of our student population, that's huge.

Throughout the Greater Bay Area region, school personnel cited additional professional development, mentoring, and support from their districts as key components to ensuring students receive qualified teachers. For example, an administrator at Green Oaks explained:

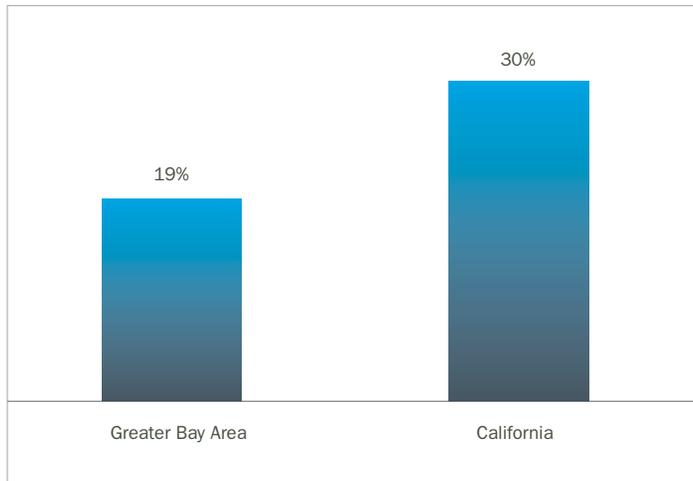
In the real world we know that new teachers still need a lot of support in the actual delivery of the instruction or the delivery of the lessons, and we're fortunate to have, district-wide this year, the use of the New Teachers Center as a support to the school and the district. They have highly qualified mentors that come in to work with the new teachers, to work with veteran teachers, and to work wherever there's a need. That has been an incredible resource to us.

Similarly, one young teacher at Edna Brewer Middle School in Oakland Unified stated that "the support I receive is the greatest impact on my teaching, it's been really, really great to have so much support as a teacher. I was very lucky to get into this school."

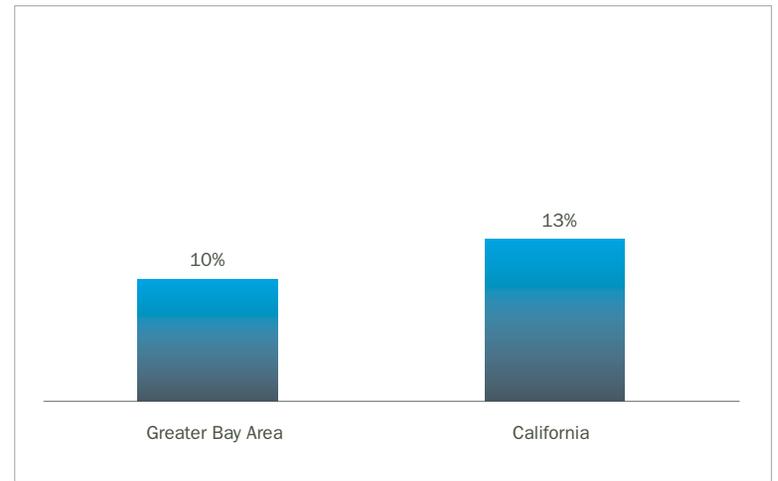
In sum, while the region continues to face teacher turnover, assignment, and credentialing challenges, the positive changes that have taken place over the course of the last few years has sparked hope in teachers, and most of the teachers interviewed in the region shared their desire to remain teaching at their current school site.

FIGURE 14

Percentage of Decile 1-3 School Teachers Assigned to Classes with 20% or more English Learners Who Lacked the Appropriate EL Authorization in 2004-05



Percentage of Decile 1-3 School Classes with 20% or more English Learners That Were Taught by Teachers Lacking the Appropriate EL Authorization in 2005-06



■ The Central Valley

The decile 1-3 schools in the Central Valley appear to have made more progress in the first two years of *Williams* implementation than the decile 1-3 schools in any other region. County offices of education found very few schools with insufficient instructional materials in the second year of implementation, and the rate of improvement between the first round of visits and the second was best in the state, dropping from 14% to 3%. The percentage of schools with “good repair” deficiencies also declined and districts are starting to more fully utilize the Emergency Repair Program to address unhealthy and unsafe facility conditions. The percentage of schools with such conditions, however, as well as the percentages in some counties of schools with misassignments, demonstrate that despite gains, there is still much room for improvement. This is particularly true with respect to ensuring English learners are taught by appropriately trained teachers. Yet the *Williams* data gathering and oversight systems are working and decile 1-3 schools and county offices of education in the Central Valley should be lauded for their efforts to date and encouraged to take the necessary next steps to provide the basic necessities for all students in all schools.

Stretching from Shasta County to Kern County, the Central Valley is approximately 450 miles long and 40 to 60 miles wide.⁵⁶ Of the counties south of Sacramento, Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare are home to school districts with decile 1-3 schools and for purposes of this report, comprise the Central Valley.

The number of public school students in each of these counties varies widely. For example, in 2005-06, Kings County served approximately 27,000 students, while Kern County served over 170,000, and Fresno County served over 192,000.⁵⁷ Fresno Unified School District, the fourth largest district in California, alone served over 79,000 students in approximately 95 schools, including 46 decile 1-3 schools. Cumulatively, there were 439 decile 1-3 schools in the Central Valley region.

The following section explores the impact of *Williams* implementation on decile 1-3 schools in the Central Valley, using data reported by local county offices of education and information gathered through visits to three schools in the region: Delta Island Elementary School in the Tracy Joint Unified School District in San Joaquin County, Tenaya Middle School in the Merced City



A closer look at the three schools visited in the Central Valley

In 2005-06, a vast majority of the students enrolled in each of the eight counties were students of color and most were Latino. To provide some context, San Joaquin County’s student population had the lowest percentage of Latino students (42%) and the highest percentage of White students (29%) of the eight counties. All but one of the counties exceeded the state average of 25% English learners (the exception was Kern County at 21%). And, with the exception of Stanislaus County, all exceeded the state average of 50% students eligible for free/reduced price meals (49% in Stanislaus County).

Delta Island Elementary School, in the Tracy Joint Unified School District in San Joaquin County, serves a rural population and is a year-round school located in the city of Stockton. In 2005-06, the school served

164 students in grades K-8 (90% Latino, 79% English learners), and 89% qualified for free/reduced price meals.⁵⁸

Tenaya Middle School, in the Merced City Elementary School District in Merced County, served over 900 students in grades 6-8 (64% Latino, 20% Asian American, 8% White, 22% English learners) and 80% qualified for free/reduced price meals.⁵⁹

Washington High School is a rural high school in the two-school Washington Union High School District, located on the outskirts of the city of Fresno. The school served 1,143 students in grades 9-12 (57% Latino, 15% African American, 13% Asian American, 11% White, 45% English learners) and 77% qualified for free/reduced price meals.⁶⁰

Elementary School District in Merced County, and Washington High School in the two-school Washington Union High School District in Fresno County.

PUBLIC SCHOOL STUDENTS IN THE CENTRAL VALLEY HAVE INCREASED ACCESS TO TEXTBOOKS AND INSTRUCTIONAL MATERIALS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

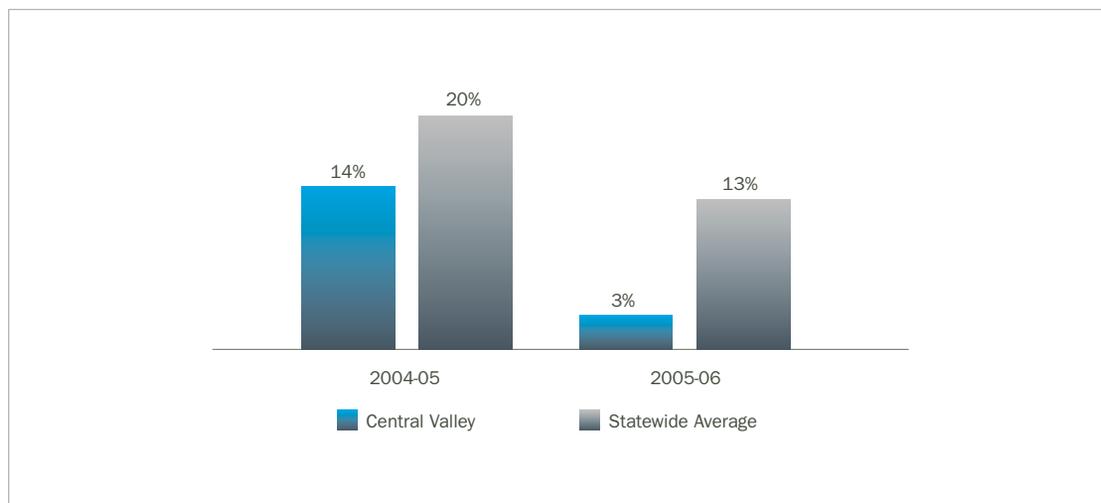
Decile 1-3 schools in the Central Valley have done a better job providing students with sufficient textbooks and instructional materials, both in terms of proportional improvement and absolute numbers, than their peers in the other three regions. In the first year of *Williams* implementation, 2004-05, county offices of education found that 14% of the decile 1-3 schools in the region had insufficient textbooks or instructional materials; one year later, only 3% of the schools had insufficiencies.⁶¹ **The greatest improvements occurred within Fresno County, where the percentage of decile 1-3 schools with insufficient instructional materials fell dramatically from 45% in 2004-05 to 2% in 2005-06.** The regional figures bettered statewide county averages both years (see Figure 15).

While the county offices of education in the Central Valley initially determined that 417 textbooks were needed to remedy the instructional materials insufficiencies they identified during their 2004-05 visits, students actually received nearly four times this amount. **Students in decile 1-3 schools in the Central Valley received over 1,660 additional textbooks and instructional materials in the wake of the 2004-05 *Williams* visits.** This discrepancy was the result of students in Kern County's decile 1-3 school receiving 1,461 textbooks and instructional materials even though initial reports indicated that only 211 were needed. Staff from the Kern County Office of Education explained that the additional textbooks and instructional materials were needed because after their initial reviews, they identified



FIGURE 15

Percentage of Decile 1-3 Schools with Insufficient Textbooks/Instructional Materials in the Central Valley Compared to Statewide County Average



insufficiencies where some schools were not assigning homework from a textbook so that each student did not have to be given a book to take home. As explained earlier in this report, AB 831, a *Williams* clean-up bill, clarified that students must receive individually assigned textbooks regardless of homework policies. Accordingly, textbook totals that may have been deemed “sufficient” prior to AB 831 because of the “no homework” policies were correctly designated as “insufficient” after the initial reviews and remedied.

In the second year of implementation, 2005-06, county offices of education in the Central Valley determined that 104 textbooks were needed and all 104 were subsequently provided to the students.

Comments from staff at decile 1-3 schools in the Central Valley highlight how the *Williams* “sufficient” standard and the associated oversight systems have brought about such improvements. They explained that external oversight is ensuring students receive the books they need. As one administrator’s comment illustrates, *Williams* implementation has helped identify not only where books are missing, but also where they may have been misplaced because the tracking and distribution systems were flawed:

We had a situation where, literally, classrooms next to each other, one guy doesn't have enough textbooks, we don't have any textbooks, and come to find out in

the cabinet in the next classroom there's 30 textbooks. So it's like, good grief, how could this happen? But whenever you're forced to have somebody sit there and collect and look at textbooks, those things come out.



The principal of Washington High School in Fresno emphasized this point, explaining that textbook or instructional materials insufficiencies occurred in the past at his school because they had an inefficient tracking and processing system. The new *Williams* requirements encouraged him to address this issue and now the school utilizes a simple yet effective tracking system built around reports from teachers. As a result, no textbook insufficiencies were reported at Washington High School in either 2004-05 or 2005-06.

PUBLIC SCHOOL STUDENTS IN THE CENTRAL VALLEY HAVE INCREASED ACCESS TO CLEAN, SAFE, AND FUNCTIONAL SCHOOLS SINCE THE ENACTMENT OF THE WILLIAMS LEGISLATION

Students attending decile 1-3 schools in the Central Valley are generally entering cleaner, safer, and more functional schools as a result of *Williams*. The thorough county office of education inspections have identified minor and urgent facility issues, leading to many needed repairs, and the Emergency Repair Program (ERP) has helped districts address health and safety threats. County office of education site visits identified “good repair” deficiencies at 57% of the decile 1-3 schools in 2004-05, and at 39% of them in 2005-06. The county offices of education also found conditions that posed urgent health or safety threats to students or staff at 15% of the schools in 2004-05 and in 16% of the schools during the 2005-06 visits. **The districts addressed most of these health and safety issues promptly, as indicated by the significant level of participation in the ERP by districts in the region. For instance, Fresno Unified alone has successfully received over \$4.7 million from the ERP for 528 projects (through April 2007); Dinuba Unified in Tulare County received over \$1.5 million for repairs at Dinuba High School; and Fowler Unified in Fresno County received more than \$550,000 for repairs at Malaga Elementary.**



The experience of Delta Island Elementary School in Tracy Joint Unified School District highlights the facilities benefits students in the Central Valley have experienced as a result of *Williams*. School staff contrasted their experience before and after *Williams*:

Before Williams, most of the time we got the response, 'There are no funds for that right now. We'll put in our list and we'll get to it.' But you know, we're not getting to those things. Williams provided that opportunity to deal with those issues. So I personally I feel like there's more control and more access to change.

That access to change has yielded significant benefits at Delta Island, which has seen important facilities needs identified and then improvements made through the Williams implementation process. In the fall of 2007, less than two years after Delta Island's first *Williams* site visit, the school held a ribbon-cutting ceremony to celebrate the completion of construction of a badly needed new restroom facility that replaced "nasty, old, peeling" restrooms with permanently stained fixtures due to the high mineral content in the water. The principal explained the need for the new facility:

We did have a major concern with the restrooms, the student restrooms. They were so old, I would not use the restrooms. If I don't want to use the restrooms, why would I expect the students to use the restrooms? They were just so nasty, old, peeling.

Soon after the installation of the new restroom facility, work got underway to replace an old septic tank that was spilling out onto the field and playground. Identified as a safety issue due to the odors, the area has been cordoned off until the job is complete. Children, parents and staff at Delta Island Elementary also are looking forward to a new water purification system, which is next on the list of facility improvements. The impurities in the ground water have not only caused the staining and destruction of restroom fixtures, but it has obligated the school and district to regularly truck in tanks of water so that students could safely drink water and wash their hands. The water purification system will provide students and staff, for the first time, access to potable water.

Each of these unresolved facility issues were identified during *Williams* visits by San Joaquin County Office of Education teams, demonstrating to teachers and administrators that further change and improvements are possible. Indeed, the principal of Delta Island shared that she was initially hesitant to point out the restrooms to the inspection team during the first *Williams* visit, because while she knew the restrooms were a problem, she didn't understand *Williams* oversight could help.

While many of the facility needs of Delta Island Elementary School have been identified and met in the first two years of implementation, the director of facilities planning for the Tracy Joint Unified District noted that the needs of this one site and the original funding structure of the Emergency Repair Program made it difficult for the district to also address the facility needs of other schools. Accounts such as this one provided the impetus for Assembly Bill 607, which as described on pages 16 and 24, converted the ERP into a grant program effective July 2, 2007. Accordingly, districts will no longer need to hesitate because they fear the uncertainties of a reimbursement only program.

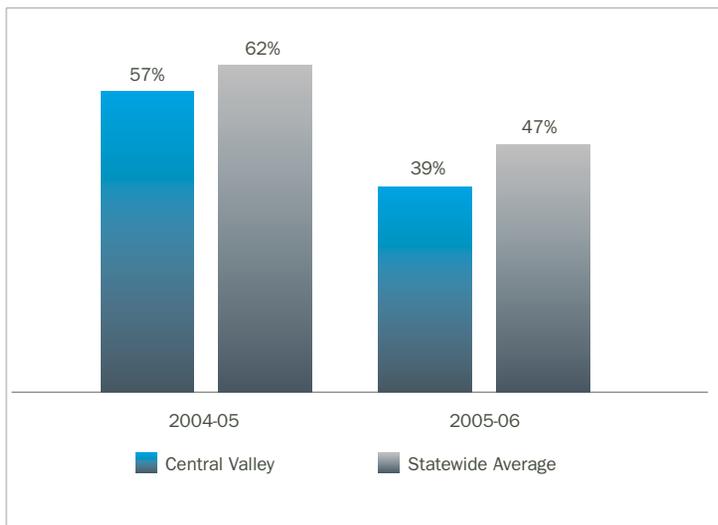


Williams implementation has also led schools and district to examine and improve their communication systems, which when broken, allow serious facility issues to remain unaddressed.

The principal of Washington High School, explained that good maintenance has been a long-standing priority at the school and though they have always tried to make certain that problems are reported and addressed immediately, *Williams* has helped identify where their communication systems could be improved:

Doors in the bathroom stalls, and things like that, occasionally get vandalized. It's never our intention to leave a stall without a door, but when we had the first Williams visit we had stalls that didn't have doors. Those things, they don't get communicated. Maintenance will remove that door and for whatever reason not order another one. But in that respect, Williams has been really good for us.

FIGURE 16
Percentage of Decile 1-3 Schools with “Good Repair” Facility Deficiencies in the Central Valley Compared to Statewide County Average



PUBLIC SCHOOL STUDENTS IN THE CENTRAL VALLEY HAVE INCREASED ACCESS TO APPROPRIATELY CERTIFICATED AND ASSIGNED TEACHERS SINCE THE ENACTMENT OF THE *WILLIAMS* LEGISLATION

Students in the Central Valley’s decile 1-3 schools have increased access to appropriately certificated and assigned teachers since the onset of *Williams* implementation, though significant challenges persist, such as retaining teachers and reducing teacher turnover. The percentage of fully credentialed teachers in the Central Valley’s decile 1-3 schools has been higher the last couple of years—94% of teachers at decile 1-3 schools were fully credentialed in 2004-05 and in 2005-06. **Twenty-six percent of the decile 1-3 schools in the region, however, reported misassignments in 2005-06, with over half (63%) occurring at the high school level.**⁶² In Fresno County, 58% of the decile 1-3 schools had at least one misassignment in 2005-06, for a total of 1,200 teacher misassignments.

Within the Central Valley’s decile 1-3 schools, 24% of the teachers in classes with 20% or more English learners did not hold the appropriate authorization to teach English learners in 2004-05; in 2005-06 the situation appears to have improved, with 12% of these classes taught by teachers lacking the appropriate authorization. The decile 1-3 schools in San Joaquin County had the largest percentages of English learner-related misassignments both years: 34% of 20%+ class teachers in 2004-05 and 26% of 20%+ classes in 2005-06.

Some of the challenges in providing all students with qualified teachers at Washington High School, the principal said, stem from the fact that it continues to be difficult to recruit qualified teachers. Indeed, in 2005-06, only 71% of the teaching staff at Washington High was fully credentialed. The principal explained that his small school district cannot compete with salaries in surrounding larger districts, including Fresno Unified School District and Clovis Unified School District.

In particular, the school has had difficulty hiring teachers authorized to teach the school’s English learners. In 2004-05, 72% of teachers providing instruction to classes in which at least 20% of the students required specialized English learner instruction did not have the proper authorization. In 2005-06, teachers without proper authorization taught 34% of classes in which 20% or more students enrolled required English learner instruction. Despite these difficulties, the principal and teachers noted that there have been some improvements in teacher

quality, which they attributed to the new standards established as a result of the *Williams* Legislation and the federal No Child Left Behind Act.

The principal explained the gains the school has made in increasing the numbers of its teachers with full credentials have been “because now we have a standard” against which the school is measured and in particular, as a result of *Williams*, “we can check our ELL teachers.” Certainly it is true that the school could have checked its English learner teachers’ credentials before *Williams*, but *Williams* now mandates that schools and districts report on misassignments resulting from a lack of appropriate English learner authorizations, placing greater emphasis on the need to satisfy minimum requirements for provision of English learner instruction to students. The principal’s remarks underscore the value of that reporting mechanism, highlighting that without the need to report, schools often did not “check”—or specifically focus on—their teachers’ appropriate credential status.

In contrast to Washington High School, all teachers at Tenaya Middle School in Merced were fully credentialed in 2005-06. The principal of

Tenaya found it easier in recent years to find highly qualified teachers because of the “credentialing process,” explaining that: “If teachers are holding current credentials—almost all of ours do—then they come in with their CLAD, which authorizes teachers to teach English learner students.” The school’s misassignment numbers from the first two years of *Williams* implementation reflect this positive trend: In 2004-05, 15% of Tenaya teachers providing instruction to classes composed of at least 20% English learners were not authorized to do so; in 2005-06, only one class in which 20% or more of the students were English learners was taught by a teacher lacking proper authorization.

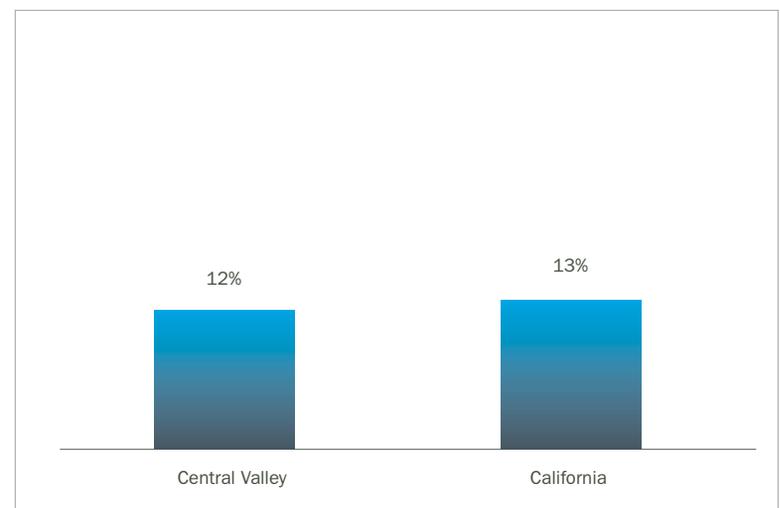
Across the region, teachers and administrators expressed the view that while No Child Left Behind requirements and the *Williams* Legislation contributed to the hiring of more qualified teachers and the reduction of misassignments, support from the administration, the district, and on-going professional development is critical in retaining a highly qualified teacher workforce. As a teacher from Delta Island Elementary School in Tracy Joint Unified School District explained: “The only way we’re going to get better at teaching is if we collaborate and are able to talk to each other so we’re not so isolated.”

FIGURE 17

Percentage of Decile 1-3 School Teachers Assigned to Classes with 20% or more English Learners Who Lacked the Appropriate EL Authorization in 2004-05



Percentage of Decile 1-3 School Classes with 20% or more English Learners That Were Taught by Teachers Lacking the Appropriate EL Authorization in 2005-06



CONCLUSIONS AND NEXT STEPS

As documented throughout this report, the *Williams* Settlement Legislation has made a significant difference in the first two years of implementation, ensuring that public school students in California receive at least basic educational opportunity through provision of textbooks and instructional materials; clean, safe, school facilities; and appropriately credentialed and assigned teachers. But the effectiveness of *Williams* cannot be gauged solely by the reduction of apparent problems, but also in its potential to detect, correct, and prevent fundamental deficiencies that might otherwise go unnoticed or unaddressed. Site visits and inspections play a critical role in this process, as does the *Williams* Uniform Complaint Process that functions to rectify any systemic shortcomings identified by teachers, parents, students, and community members. Individuals and groups at every level must recognize that we are all stakeholders in the future of California's education system.

Interviews with administrators and teachers at decile 1-3 schools in the four regions revealed that *Williams* is making a difference at the school level. Some schools, such as Delta Island Elementary in Stockton, have experienced a transformation as facility issues were identified through *Williams* site visits and remedied. Staff at other sites, such as Green Oaks Elementary in East Palo Alto, discussed how increased access and attention paid to textbooks and instructional materials has made a huge impact on teaching and learning. At all sites, however, administrators discussed how standardization has provided “leverage” or “power” to “point things out.”

In addition, teachers also discussed how increased access to these basic tools has provided increased learning opportunities for their student populations. For example, teachers noted they no longer had to spend hours photocopying materials and students no longer spent valuable class time copying down problems for homework. With access to the necessary and basic instructional materials, teachers and administrators felt they could now begin to “fill gaps” and “take them to the next level.”



While instructional materials and decent school facilities play a critical role in providing teachers with the resources they need to meet the needs of their students, administrators felt that improving students' access to highly qualified teachers must be the foundation of any significant effort to go to the "next level" and increase educational opportunity. Improvements related to instructional materials and facilities were regularly cited across school sites, but administrators expressed continued difficulties in attracting and retaining qualified teachers. In particular, schools experienced greater difficulty in attracting and retaining science, math, and special education teachers. Certain school district officials also expressed ongoing concern that teacher retention issues will continue due to the pay differentials among districts. As one administrator from the Central Valley stated, "it's difficult to find somebody to come [here when the pay scale of neighboring districts is significantly higher]."

Administrators and teachers shared that improved school facilities and increased access to textbooks and instructional materials is helping attract quality teachers and is changing the school environment and culture. With these changes, teachers are more willing to either come to, or remain at, a particular school site. According to one site administrator, "turnover became less and less over the last few years, and teachers ask us if we need [them] to stay here."

The *Williams* accountability and oversight measures have also prompted increased communication between teachers and administrators. Principals need and want to know when a teacher is experiencing a textbook or instructional materials need, when a facility issue emerges, and when a teacher is misassigned. All teachers interviewed discussed an "openness" to discuss these issues with administrators.

Greater awareness of the *Williams* Legislation at the school level could function to increase the impact of the *Williams* Legislation on all schools, including decile 1-3 schools. Increased knowledge would not only effect higher rates of compliance (through prevention of textbook and instructional materials insufficiencies, facility deficiencies, and teacher misassignments), but also could provide teachers with an increased sense of "control" or "leverage" over their classrooms and school settings (similar to the leverage enjoyed by administrators with *Williams* implementation). In addition, greater understanding of the *Williams* Legislation and its intent, at the school level and within the community, could bring about further advancements and assist in realizing the full potential of *Williams*.

The *Williams* Legislation also called for legislative hearings to identify how to assist low-performing schools in eliminating vacancies and misassignments once the settlement had been initially implemented.⁶³ In light of the ongoing problems decile 1-3 schools have in attracting and retaining qualified teachers (as well the need to address California's failure to ensure all core classes are taught by "highly qualified" teachers under No Child Left Behind), now seems an appropriate time for the Legislature to initiate hearings to develop legislation that will deliver to all students the high quality teachers they deserve.

Continued vigilance by everyone involved in our public schools—the Legislature, state agencies, county offices of education, school districts, administrators, teachers, community members, parents and students—will be necessary to ensure the gains in the first two years of *Williams* implementation quickly lead to greater improvements and full compliance with the *Williams* standards. In this way, we can all make certain that the promise of *Williams* is realized and all students receive the educational opportunities they need and deserve.

“

I like having the 'power' behind Williams, the weight that it has. I know that if there's something that I feel that needs to be addressed that has not been addressed, be it instructional materials or facilities, I can say, 'This is a Williams concern of mine of our school,' and have it documented as such.

Principal of a school in the
Greater Bay Area

”

¹ Additional information can be found in *The Williams v. California Settlement: The First Year of Implementation* (2005), available at: <http://www.decentschools.org/settlement/WilliamsReportWeb2005.pdf>. This comprehensive report, released in December 2005, details the key provisions of the Settlement Legislation, describes how they were implemented in the first year, and documents the early results. The report concludes, “[o]verall, results, observations, and reports from around the State indicate that implementation of the Settlement Legislation is proceeding on schedule and with increasingly positive results.”

² The Concept 6 calendar has 163 instructional days per year versus 180 days offered by schools following a traditional calendar or implementing other year-round structures.

³ Charter schools are exempt unless they choose to “opt-in” to *Williams*. Decile 1-3 charter schools that opt in receive the benefits and must adhere to the new standards and accountability systems established by the *Williams* Settlement Legislation.

⁴ The California Department of Education has compiled a list of these schools pursuant to Education Code Section 1240. The list is posted at <http://www.cde.ca.gov/eo/ce/wc/wmsschools.asp>.

⁵ In 2004-05, the county superintendents conducted visits to each school within 120 days of receipt of funds for this purpose.

⁶ The teacher assignment monitoring process required by California Education Code 44258.9 is separate from the county superintendents’ *Williams* site visits.

⁷ Appropriate authorization includes CLAD or BCLAD authorization, SB 1969 certificate, Certificate of Completion of Staff Development (through SB 395 training), or other authorization as authorized by statute. It is also important to note that the 20% standard is a data reporting requirement and not a threshold for determining a “misassignment.” Correspondence from Jack O’Connell, State Superintendent of Public Instruction, August 26, 2005, regarding “Change in Certificated Assignment Monitoring and Data Reporting in Education Code 44258.9 as a result of the Williams Lawsuit Settlement” (Number 05-0014). Available at <http://www.ctc.ca.gov/notices/coded/050014/050014.pdf>.

⁸ California Education Code Section 44258.9(d).

⁹ To view report templates used by county superintendents and other information on county superintendent visits and reviews see: [http://www.ccsesa.org/ccsesaAtWork/stories/storyReader\\$33](http://www.ccsesa.org/ccsesaAtWork/stories/storyReader$33).

¹⁰ Schools removed from the list of decile 1-3 schools posted on the California Department of Education website per AB 831 (effective July 25, 2005) are not included in the analysis of 2004-05 data. Analysis for 2005-06 also excludes all decile 1-3 schools that closed or “merged” with another school. Note that as of January 2007, there were 2,070 schools on the list of decile 1-3 schools (2003 Base API). The number of schools on the list decreased from 2004-05 to 2005-06 due to AB 831, which officially removed county

operated special-education programs from the list of decile 1-3 schools. School closures and mergers also reduced the number of schools on the list.

¹¹ *The Williams v. California Settlement: The First Year of Implementation* (2005), available at: <http://www.decentschools.org/settlement/WilliamsReportWeb2005.pdf>, details the key provisions of the Settlement Legislation, describes how they were implemented in the first year, and documents the early results.

¹² The five clean-up bills were AB 831 (2005), SB 512 (2005), SB 687 (2005), AB 491 (2005), and AB 607 (2006). Summaries and the text of all five bills are available at <http://www.decentschools.org/settlement.php>.

¹³ On July 1, 2007, the list of decile 1-3 schools county superintendents must visit and review annually was updated to include schools ranked in deciles one to three, inclusive, on the 2006 Base Academic Performance Index. The list will be similarly updated every three years to reflect the most recent Base Academic Performance Index. Accordingly, the list will be updated again for fiscal year 2010-11 to reflect the 2009 Base Academic Performance Index. (California Education Code Section 1240(c)(2)(E).)

¹⁴ Researchers asked all 58 county superintendents in the State of California to respond to a “Year 2” survey that requested information and results from county audits and site visits to decile 1-3 schools in both 2004-05 and 2005-06. (Of the 58 county offices of education in the State of California, 45 oversee decile 1-3 schools. Thirteen county offices of education—Alpine, Amador, Calaveras, Glenn, Lassen, Marin, Modoc, Mono, Nevada, Plumas, Sierra, Trinity and Tuolumne—do not oversee decile 1-3 schools. Siskiyou, Tehama and Yuba, which did not respond to the survey, cumulatively oversee 10 decile 1-3 schools (less than 1% of all decile 1-3 schools in California), and were excluded from all analyses.) The initial goal was to extract all data from the county superintendents’ Annual Reports. However, few annual reports were available publicly (researchers were able to retrieve on-line versions of annual reports for five county offices of education). Further, a review of available annual reports revealed inconsistencies in terms of reporting. Hence, researchers constructed and distributed the survey to all county superintendents, allowing the researchers to gather information on site visits and county office of education findings regarding textbook/instructional materials insufficiencies, facility conditions, teacher misassignments and vacancies, SARC reviews, and *Williams* Uniform Complaints for 2004-05 and 2005-06. In a few instances, researchers found discrepancies between what was reported in available county annual

reports and what county office of education staff reported in their survey responses. In these instances, data from the annual reports were analyzed. Most county offices of education, however, did not submit annual reports with their survey responses as requested. Accordingly, researchers typically relied solely on data from survey responses. A full description of the methodology is available at <http://www.decentschools.org>.

¹⁵ Data was collected from a total of 12 schools representing all levels: elementary, middle, and high school level. Two of the 12 schools are defined as rural schools, and ten are urban schools. Student enrollment within this sample of schools spanned from a small rural school serving approximately 160 students, to a large, urban, comprehensive high school serving approximately 2,200 students. All of the schools, with the exception of the one alternative school, served a student body that was predominantly composed of students of color. A full description of the methodology is available at <http://www.decentschools.org>.

¹⁶ See Endnote 13.

¹⁷ California Education Code Section 60119(c).

¹⁸ Analyses revealed no significant correlation between number of schools in a district and percentage of schools with insufficiencies.

¹⁹ Based on responses from 34 county offices of education, representing 80% of all decile 1-3 schools in the state.

²⁰ In July 2005, AB 831 clarified the definition of “sufficient textbooks or instructional materials” by adding the adjective “standards-aligned” and removing the phrase “to complete required homework assignments.”

²¹ Findings are based on responses from 40 county offices of education. A total of 1,741 schools were reportedly visited in 2004-05, and 1,986 were visited in 2005-06. Thirty-six county offices of education responded to this survey question for 2004-05. Thirty-eight counties (accounting for 90% of decile 1-3 schools) responded to questions regarding the number of facility deficiencies recorded using the Interim Evaluation Instrument (IEI) in 2005-06.

²² On June 27, 2007, the Facility Inspection Tool became effective when approved by the State Allocation Board. The Facility Inspection Tool rates school facilities on a good/fair/poor scale and provides an overall summary of the condition of facilities at each school on a scale of exemplary, good, fair, or poor. See http://www.opsc.dgs.ca.gov/SAB-Programs/Good_Repair_Std.htm.

²³ Education Code Section 17592.72(c)(1).

²⁴ Based on the survey responses from 37 county offices of education.

²⁵ The results of all the School Facilities Needs Assessments are publicly available at www.applications.opsc.dgs.ca.gov/fnaReporting/fnaReporting.asp.

²⁶ Many county offices of education did not report any data on completed repairs (38% of the county offices of education provided data from both years).

²⁷ A teacher holding a “full credential” is generally defined as a teacher in possession of a “basic teaching credential” including a preliminary or professional clear credential as defined in California Education Code Section 44203. This is a teaching credential that requires a baccalaureate degree from a regionally accredited college or university and a professional preparation program including student teaching or a full-time Designated Subjects Credential if the individual holds a baccalaureate degree and has passed CBEST. This does not include teachers who hold emergency permits, waivers, and pre-intern certificates. See generally <http://www.ctc.ca.gov/glossary/glossary.html>.

²⁸ A “misassignment” means “the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.” (California Education Code Section 35186(h)(2).)

²⁹ A “teacher vacancy” means “a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.” (California Education Code Section 35186(h)(3).)

³⁰ According to a report released by The Center for the Future of Teaching and Learning, *California’s Teaching Force 2006: Key Issues and Trends* (Guha, R., Campbell, A., Humphrey, D., Shields, P., Tiffany-Morales, J., & Wechsler, M., 2006), several factors are responsible for the decline in underprepared teachers in California’s classrooms including: slowed growth in the overall teacher workforce since 2000-01 assuaging the demand for teachers in the state; state policies that have effectively increased the recruitment and retention of fully prepared teachers; increased credential production; and a weakening state

economy in the early 2000s that may have increased interest in teaching as a career. This overall decline in the underprepared teachers in the state corresponded with a shift in the types of credentials and permits held by teachers. The passage of the No Child Left Behind Act in 2002 dictated a need for well-prepared and effective teachers in California. In response, California defined “highly qualified” as teachers who 1) hold a bachelor’s degree; 2) have a teaching credential or are working toward one through an alternative preparation program; and 3) have demonstrated subject-matter competency in each assigned area.

³¹ Schools “under review” through a state or federal intervention program are exempt, except from the data collection of misassignment data from classrooms in which 20% or more of the students are English learners. Decile 1-3 schools that do not have any misassignments or vacancies for two consecutive years may be included with their district’s next regular four-year cycle review if they are not likely to have a problem with misassignments or vacancies based on past history and other available information. See <http://www.ctc.ca.gov/notices/coded/050014/050014.pdf>.

³² California Education Code Section 44258.9(d).

³³ Based on the survey responses of 29 county offices of education, accounting for 80% of all decile 1-3 schools in California. Both California Commission on Teacher Credentialing (CCTC) data and survey analysis provide limited information regarding the status of teaching misassignments and English learner (EL) assignment monitoring in California’s decile 1-3 schools. A change in the CCTC’s data collecting and monitoring between years made analysis of CCTC data problematic, and posed a problem for county offices of education in their ability to respond to the Year 2 survey. While the Year 2 survey maintained the same unit of analysis between years (number of misassignments), county offices of education’s collection and reporting of teacher monitoring data generally adhere to CCTC requirements. In addition, the CCTC data collection in 2004-05 focused exclusively on EL monitoring for decile 1-3 schools and did not include information on all types of teacher misassignments, making a year-to-year comparison difficult. Finally, for a complete understanding of how California’s decile 1-3 schools are doing in terms of misassignments and EL monitoring, it would be critical to provide comparison data to non-decile 1-3 schools. For example, the recent study, *California’s Teaching Force 2006: Key Issues and Trends* (Guha et al., 2006), found that schools with large proportions of students of color continue to be more likely to have underprepared and novice teachers than do schools with few students of color. Because misassignment data was only collected from decile 1-3 schools, a comparison of teacher misassignments and vacancies between schools is not possible.

³⁴ Data provided by the California Commission on Teacher Credentialing (CCTC).

³⁵ California Department of Education, 2006. Retrieved 6-28-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

³⁶ School and district information available at <http://www.ed-data.k12.ca.us>. Total of schools within districts excludes community day, continuation, and special education schools.

³⁷ In 2004-05, Los Angeles County Office of Education (LACOE) staff visited 350 schools, accounting for 59% of the county's decile 1-3 schools, to determine the condition of school facilities. In 2005-06, LACOE conducted 595 visits to assess facilities, accounting for 99% of the decile 1-3 schools in the county.

³⁸ In 2005-06, African American students comprised 8% of the total public school student population in California, Asian American students comprised 8%, and Latino students comprised 48%. See <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D05%26reportNumber%3D16>.

³⁹ California Department of Education. Ed-Data School Profile: Fiscal Year 2005-06. Retrieved March 15, 2007 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D05%26reportNumber%3D16>.

⁴⁰ Nearly 40% of students at Mark Hopkins Elementary were Latino, 29% were Asian American (Asian American totals include students identified as Asian, Pacific Islander, and Filipino), 27% were African American, and 4% were White. Retrieved 6-28-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

⁴¹ The largest ethnic group of students at Luther Burbank High School was Asian American (42%). There were also significant percentages of Latino (27%) and African American (21%) students attending Luther Burbank in 2005-06. Retrieved 6-28-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

⁴² California Department of Education, Ed-Data Countywide profile: Fiscal year 2005-06 and 2001-02. Available at <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D05%26reportNumber%3D16>.

⁴³ This report uses the regional definition of the "Greater Bay Area" used by the California Postsecondary Education Commission. Details are available at <http://www.cpec.ca.gov/SecondPages/RegionsDetail.asp?Region=E>.

⁴⁴ The San Francisco County Office of Education provides oversight to only one district: the San Francisco Unified School District. San Francisco is a single-county district. The *Williams* Settlement Legislation requires such county offices of education to contract with another county office of education or an independent contractor to fulfill the oversight duties. The California Commission on Teacher Credentialing is responsible for teacher assignment monitoring and reviews for these single-district counties.

⁴⁵ Sixty percent of the students at "Vista High School" in 2005-06 were Asian American (total includes students identified as Asian, Pacific Islander, and Filipino), 20% were Latino, 14% were African American, and 5% were White. California Department of Education, Ed-Data Countywide profile, 2005-06. Retrieved 6-28-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

⁴⁶ Thirty-seven percent of the students at Edna Brewer Middle School in 2005-06 were Asian American (total includes students identified as Asian, Pacific Islander, and Filipino), 16% were Latino, 39% were African American, and 7% were White. California Department of Education, Ed-Data Countywide profile, 2005-06. Retrieved 3-15-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D05%26reportNumber%3D16>.

⁴⁷ In 2005-06, 85% of the student population at Green Oaks Elementary was Latino, 4% was African American, and 11% was Asian American (total includes students identified as Asian, Pacific Islander, and Filipino). California Department of Education, Ed-Data Countywide profile, 2005-06. Retrieved 3-15-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D05%26reportNumber%3D16>.

⁴⁸ Pseudonym. See page 41.

⁴⁹ Ninety-two schools in Alameda County were listed on the California Department of Education's list of decile 1-3 schools (2003 Base Academic Performance Index). Due to school closures and the removal of county-operated special education programs from the list, Alameda County Office of Education was responsible for overseeing 84 decile 1-3 schools (2003 Base API).

⁵⁰ Eight county offices of education, accounting for 95% of decile 1-3 schools in the region, reported on visits conducted to determine compliance with facilities standards. San Francisco Unified School District reported that 90-95% of the district schools inspected had one or more deficiencies identified on the 2004-05 and 2005-06 facility inspection forms. However, all deficiencies were “minor” or “routine” and “did not merit reporting as a *Williams* case issue.”

⁵¹ The Contra Costa County Office of Education is one of five county offices of education in the state that posts its *Williams* Annual Reports on its website. According to annual reports now available for 2006-07, the percentage of schools identified with emergency facility issues decreased in the third year of implementation. Information available at http://www.cccoe.k12.ca.us/edsvcs/williams_reports.html#fall06.

⁵² Pseudonym. See page 41.

⁵³ No misassignments were reported by the CCTC for Alameda County and Marin County. Therefore, average misassignment percentages reported may be an underrepresentation of the percentage of misassignments in the region, representing only 70% of the decile 1-3 schools in the region.

⁵⁴ No misassignments were reported by the CCTC for Alameda County.

⁵⁵ See <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D05%26reportNumber%3D16> (Retrieved 6-28-07).

⁵⁶ For the purposes of the study, information provided by the California Research Bureau and the California Commission on Postsecondary Education (CPEC) was used to define this region. According to the California Research Bureau (CRB-97-009, Umbach, K.W., 1997), the “Central Valley” is comprised of 18 counties; 10 are located within the “Sacramento Valley” and include Shasta, Tehama, Glenn, Butte, Colusa, Sutter, Yuba, Placer, Yolo, and Sacramento. This region is referred to as the “Upper Sacramento Valley” and “Sacramento Tahoe” according to CPEC (information available at <http://www.cpec.ca.gov/SecondPages/Regions.ASP>). We have focused on what both sources refer to as the “San Joaquin Valley.” CPEC also includes Calaveras, Tuolumne, and Mariposa in this region. However, these three counties do not have any decile 1-3 schools.

⁵⁷ California Department of Education, Ed-Data Countywide profiles, 2005-06. Retrieved 6-28-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

⁵⁸ California Department of Education, Ed-Data Countywide profile, 2005-06. Retrieved 3-15-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

⁵⁹ California Department of Education, Ed-Data Countywide profile, 2005-06. Retrieved 3-15-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

⁶⁰ California Department of Education, Ed-Data Countywide profile, 2005-06. Retrieved 3-15-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

⁶¹ California Department of Education, Ed-Data Countywide profile, 2005-06. Retrieved 3-15-07 from <http://www.ed-data.k12.ca.us/Navigation/fsTwoPanel.asp?bottom=%2Fprofile%2Easp%3Flevel%3D07%26reportNumber%3D16>.

⁶² Analysis includes 98% of the decile 1-3 schools in the eight county offices of education in 2004-05 and 97% of the schools in 2005-06.

⁶³ Based on California Commission on Teacher Credentialing data. Similar to the circumstances described in Endnote 53, because no misassignment data was reported for Kern County and Kings County, regional data on misassignments may account for only 74% of the decile 1-3 schools in the Central Valley.

⁶⁴ AB 3001 (Goldberg), Section 3; California Education Code § 44258.9(g).

FOR MORE INFORMATION

Visit: www.decentschools.org

Call: 1-877-532-2533
Toll Free *Williams* Hotline
(English and Español)

Email: WilliamsInfo@aclu-sc.org



Or Contact:
ACLU Foundation of Southern California
1616 Beverly Boulevard
Los Angeles, CA 90026
213-977-9500 x370

Public Advocates
131 Steuart Street, Suite 300
San Francisco, CA 94105
415-431-7430

